CIRCUIT COURT
COMPLETE RECORD
1834- 1835

Complete Record

Book No. 2

Danville April 13th 1834

April ~~October~~ Term AD 1834 Page 1

Pleas Before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana And Thomas Lockhart Esquire One of the Associate Judges of the Hendricks Circuit Court within & for the said County of Hendricks, at a Term of said Court began and held at the Court House in the Town of Danville on Monday the fourteenth day of April in year of Our Lord One Thousand Eight hundred and thirty four, towit,

The State of Indiana
vs
Benjamin Dalton } Scirefacias on forfeiture of Recognezance

Be it remembered that heretofore, towit, on the fifteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty three the same being the first Judicial day of the April term of said Court in the year last aforesaid Wm H Craig Sheriff of Morgan County returned into Court the following Recognezance towit, State of Indiana Morgan County. Be it remembered that on the twenty Second day of January 1833 personally appeared before me Wm H Craig Sheriff of said County Benjamin Dalton and Daniel Carpenter both of said county who acknowledged themselves to owe and be indebted to the State of Indiana in the Sum of One hundred dollars each, to be levied of their respective goods and chattles, lands and tenements if default be made in the condition following, towit, that is if the aforesaid Benjamin Dalton shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next Term to be holden at the Court House in said County of Hendricks, and then and there answer said Court to a certain Bill of Indictment exhibited against him for Grand Larceny and to such matters and things as shall or may be then and there charged against him and not depart thence without leave of said Court, then this to be null and void else to remain in full force and vertue in law Signed sealed and delivered in presence of me

Benjamin his + Dalton mark Seal
D Carpenter Seal
Wm H. Craig Shff

And afterwards, towit, on the fifteenth day of April in the year of our Lord One thousand Eight hundred and thirty three, the same being the first Judicial day of the April Term of the Hendricks Circuit Court before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court Come Herod who prosecutes the Pleas of the State in this behalf, and the said defendant although thrice called Comes not but makes default, and Daniel Carpenter being thrice called and required to bring into Court the body of the said Dalton, Comes not nor doth he render into Court the said defendant in discharge of his said undertaking It is therefore considered by the Court here that the said recognizance is forfeited and hath became absolute, and that the said State recover Severally of the said Benjamin Dalton and the said Daniel Carpenter each the said Sum ~~Sixteen~~ of One Hundred dollars with the costs herein accrued, And it is Ordered that Several writs of Scire facias issue requiring each of the said defendants to appear before the Judges of this Court on the first day of their next term, and Shew Cause if any they have, why the State Shall have her executions against them for the amount of the recognizance aforesaid

And afterwords, towit, On the twenty sixth day of August in the year

of our Lord One Thousand Eight hundred and thirty three, a writ of Scirefacias
ifsued from the Clerks Office of the Hendricks Circuit Court, directed to
the Sheriff of Morgan County, Which said writ of Scirefacias is in the words
and figures following, towit, State of Indiana Hendricks County
The State of Indiana to the Sheriff of Morgan County Greeting; Whereas
the Grand Jurors empannelled Charged and sworn at the October Term
of the Hendricks Circuit Court A.D. 1832 to enquire in and for the body of
said County, did on the 18th day of said Month, and at the said Term of said
Court return into the Court a Indictment against one Benjamin Dalton
Charging him with Stealing, taking and carrying away One Rifle Gunn
of the value of Six dollars Contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the State of
Indiana. And afterwards towit on the 21st day of of Nov in the year
aforesaid a writ ifsued from the Clerks office in said County, directed to
the Sheriff of Morgan County Commanding him to take the body of the said
Benjamin Dalton him to safely keep so that, he should have his body before
the Judges of the Hendricks Circuit Court on the first day of their April term
in the year of our Lord 1833 to answer unto the State of Indiana on and Indi-
=ictment for Grand Larceny. upon the back of which writ was the following
endorsement, towit, Bail is required in this case with one Securety in the Sum
of One hundred dollars each, and afterwards, towit, on the 16th day of April
A.D. 1833 it being the first day of the April term of the Hendricks Circuit court
1833 the aforementioned writ was returned into said Court perporting to have
been Served on the body of the said defendant & accompanied by the following recogniz
=ance, towit State of Indiana Morgan County Be it remembered that on the
22d day of January 1833 personally appeared before me Wm H Craig Sheriff of
said County Benjamin Dalton and Daniel Carpenter both of said county
who acknoledged themselves to owe and be indebted to the State of Indiana
in the Sum of One Hundred dollars each to be levied of their respective
goods and Chattles, lands and tenements if default be made in the
condition following, towit, that is if the aforesaid Benjamin Dalton shall
personally be and appear before the Honorable the Judges of the Hendricks
Circuit Court on the first day of their next term to be holden at the Court
House in said County of Hendricks, and then and there answer said
Court to a certain bill of Indictment exhibited against him for Grand
Larceny and to such matters and things as shall or may be then and
there Charged against him and not depart thence without leave of said
Court. then this to be, null & void, else to remain in full force and virtue in
in law, Signed, Sealed and delivered in presence of
me Wm H Craig Shff

Benjamin his Dalton Seal
mark
D Carpenter Seal

And afterwards, towit, on the 15th day of April A.D. 1833 the same
being the first day of the April Term of the Hendricks Circuit Court
A.D. 1833 Comes Herod who prosecutes the Pleas of the State in this behalf
and the said defendant although thrice called comes not, but makes
default, and Daniel Carpenter being thrice called and required
to bring into Court the body of said Dalton, comes not nor doth he
render into Court the said defendant in discharge of his said under-
=taking. It is therefore considered by the Court here that the said recog-
=nizance is forfeited and hath became absolute, and that the said

State recover Severally of the said Benjamin Dalton and the said Daniel Carpenter each the said sum of One Hundred Dollars with Costs herein adjudged You are therefore hereby Commanded to Summon the said Benjamin Dalton to appear before the Judges of the said Hendricks Circuit Court on the first day of their next Term at the Court House in town of Danville to be holden on the second Monday in October next to shew cause if any he has why the State of Indiana shall not have execution against him on said Judgment above mentioned & have you then & there this writ Given under my hand with the seal of said Court hereunto affixed at Danville this 26th day of August AD 1833

S. J. Hadley Clerk

And afterwards, towit, on the fourteenth day of October in the year of our Lord one Thousand Eight Hundred and thirty three, at a court holden at the Court House in Danville by the Honorable Thomas Lockhart & Elijah Anderson Esquires Associate Judges as aforesaid the same being the first Judicial day of the October term of said Court in the year last aforesaid, Come Herod the attorney prosecuting the pleas of the State, and the process herein being returned not Served, this Cause was Continued, and an alias Scirefacias awarded

And afterwards, towit, on the first day of March in the year of our Lord one Thousand Eight Hundred and thirty four, an Alias Scirefacias issued from the Clerks Office of the Hendricks Circuit Court, in this cause agreeably to the above order, directed to the Sheriff of Morgan County, Commanding him as he had heretofore been Commanded, to Summon the said Benjamin Dalton to appear before the Judges of the Hendricks Circuit Court on the first day of their next April term to be holden at the Court House in the town of Danville on the second Monday in April next to shew Cause if any he had why the State of Indiana should not have execution against his goods and Chattles, lands and tenements on said Judgment aforementioned And afterwards, towit; on the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on the day and year last aforesaid before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, Associate as aforesaid, Come Herod for the State and it appearing that two Successive writs of Scirefacias against the said defendant have been returned not found, the said defendant is thrice called and comes not. and the premises being Seen It is considered by the Court here that the State of Indiana have her execution against the goods and Chattles lands and tenements of the said Benjamin Dalton for the said Sum of One Hundred dollars, and also for the Sum of Seven dollars and fifteen cents for the the costs and charges in this behalf laid out and expended and the defendant in Mercy &c

April Term AD 1834

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Thomas Lockhart Esquire One the Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks of the April Term of said Court in the year of Our Lord One Thousand Eight hundred and thirty four towit

The State of Indiana
vs
Daniel Carpenter } Scirefacias on forfeiture of Recognizance

Be it remembered that On the fifteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty three at a Court held at the Court house in the town of Danville by the Honorable Bethuel F Morris President Judge as aforesaid and Elijah Anderson & Thomas Lockhart Esquires Associate Judges as aforesaid, the same being the first Judicial day of the April Term of said Court in the year last aforesaid Wm H Craig Shff of Morgan County Returned the into said Court the following bond of recognizance towit State of Indiana Morgan County, Be it remembered that on the 22d day of January 1833 personally appeared before me Wm H Craig Sheriff of said County Benjamin Dalton & Daniel Carpenter both of said County who acknowledged themselves to owe and be indebted to the State of Indiana in the Sum of One Hundred dollars each to be levied of their respective goods and Chattles, Lands and tenements if default be made in the following condition, towit, that is if the aforesaid Benjamin Dalton shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next term to be holden at the Court House in said County of Hendricks, and then and there answer said Court to a certain bill of Indictment exhibited against him for Grand Larceny, and to such matters and things as shall or may be then and there charged against him and not depart thence without leave of said Court, then this to be null and void else remain in full force & virtue in law Signed, Sealed and delivered in presence of me Wm H Craig Shff

Benjamin his + Dalton mark Seal
D. Carpenter Seal

And afterwords, to wit, on the fifteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty three, the same being the first day of the term of the Court last aforesaid before the Honorable the Judges last aforesaid Come Herod who prosecutes the Pleas of the State in this behalf and the said defendant although thrice called comes not but makes default, and Daniel Carpenter being thrice called and required to bring into Court the body of the said Dalton, comes not nor doth he render into Court the said defendant in discharge of his said undertaking It is therefore considered by the Court now here that the said recognizance is forfeited and hath become absolute, and that the said State recover severally of the said Benjamin Dalton and the said Daniel Carpenter each the said Sum of One Hundred dollars with the costs herein accrued, And it is ordered that several writs of Scirefacias issue requiring each of the said defendants to appear before the Judges of this Court on the first day of their next term and shew cause if any they have why the State shall not have her executions against them for the amount of the recognizance aforesaid And afterwords, to wit, on the twenty Sixth day of August in the year of Our Lord One Thousand Eight hundred and thirty three a writ of Scirefacias issued from the Clerks office of the Hendricks Circuit Court directed to the Sheriff of Morgan County Comm=

=anding him to Summon the said Daniel Carpenter to appear before the Judges of the Hendricks Circuit Court 46 which said Scrifpcias is in the words and figures following, towit, State of Indiana Hendricks County The State of Indiana to the Sheriff of Morgan County Greeting; Whereas the Grand Jurors empannelled, Charged and Sworn at the October term of the Hendricks Circuit Court AD 1832 to enquire in and for the body of said County, did on the 18th day of said Month and at the said Term of said Court return into the Court an Indictment against One Benyamin Datton Chargeing him with Stealing, taking, and carrying away One Rifle Gun of the Value of Six dollars, Contrary to the form of the Statute in Such Case made and provided, and against the peace and dignity of the State of Indiana And afterwords, towit, on the 21st day of November in the year aforesaid a writ issued from the Clerks office of the County last aforesaid, directed to the Sheriff of Morgan County, Commanding him to take the body of the said Benyamin Datton, and him to Safely Keep, So that he Should have his body before the Judges of the said Court Hendricks Circuit Court on the first day of their April Term AD, 1833 to answer unto the State of Indiana On an Indictment for Grand Larceny, upon the back of which writ was the following endorcement, towit, Bail is required in this case with one Security in the Sum of One Hun=dred dollars each, and afterwords, towit, on the 15th day of April AD 1833 it being the first day of the April term of the Hendricks Circuit Court AD. 1833 the aforementioned writ was returned into said Court purporting to have been Served on the body of the defendant & accompanied by the following recognizance, towit, State of Indiana Morgan County Be it remembered that on the 22d day of January 1833 personally appear before me Wm H Craig Sheriff of said County Benyamin Datton & Daniel Carpenter both of said County who acknowledge themselves to owe and be indebted to the State of Indiana in the Sum of One Hundred dollars each, to be levied of their respective goods and Chattles, Lands and tenements if default be made in the Condition following, towit, that is if the aforesaid Ben=amin Datton Shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of the next term to be holden at the Court House in the said County of Hendricks, and then and there answer Said Court to a certain Bill of Indictment exhibited against him for Grand Larceny, and to such matters and things as Shall or may be then and there charged against him, and not depart thence without Leave of said Court, then this to be null and void, else remain in full force & Virtue in law Signed, Sealed and delivered in presence of me

Wm H Craig Shff

Benyamin his + mark Datton (Seal)

D Carpenter (Seal)

And afterwords, towit, on the 15th day of April AD 1833 the same being the first day of the April term of the Hendricks Circuit Court AD 1833 Comes Herod prosecutes the pleas of the State in this behalf and the said defendant although thrice called Comes not but makes default, and Daniel Carpenter being thrice called and required to bring into Court the body of the said Datton, Comes not nor doth he render into Court the said defendant in discharge of his said undertaking It is therefore considered by the Court here that the said recognizance is forfeited and hath become absolute, and that the said State recover Severally of the said Benyamin Datton and the said Daniel Carpenter each the said Sum of One Hundred dollars, with the costs herein accrued

You are therefore Hereby commanded to Summon the said Daniel Carpenter to appear before the Judges of the said Hendricks Circuit Court, on the first day of their next term at the Court House in Danville, to be holden on the Second Monday in October to Show Cause if any he has why the State of Indiana Shall not have execution against him on said Judgment aforementioned, & have you then and there this writ

Given under my hand with ~~with~~ the Seal of said Court hereunto affixed at Danville this 26th day of August A.D. 1833 S.T. Hadley Clerk

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And afterwords. towit on the fifteenth day of October in the year of our Lord One Thousand Eight hundred and thirty three, at a Court holden at the Court House in the town of Danville by the Honorable Elijah Anderson & Thomas Lockhart Esquires apociate Judges of the Hendricks Circuit Court. within and for said County of Hendricks, the same being the Second Judicial day of the October term of said Court in the year last aforesaid Come as well Herod who prosicutes the pleas of the State of Indiana in this behalf as the said Daniel Carpenter by Brown his attorney, and because the said writ of Scirefacias is returned executed, but less than ten days prior to the first day of this present term at which time day is given the parties And afterwards, towit, on the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, at a Court holden at the Court house in the town of Danville aforesaid, by the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire One of the Apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks aforesaid, the same being the first Judicial day of the April term of said Court in year last aforesaid, Come Herod for the State and the defendant by Brown his attorney comes also. and says nothing in bar or preclusion of the action aforesaid It is therefore considered by the Court now here that the State of Indiana have her execution against the goods and chattles lands and tenemaments of the said Daniel Carpenter for the said sum of One Hundred dollars, and also for the sum of Eight dollars for the costs and charges in this behalf laid out and expensed and the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judg of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire, one of the Apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks, of the April term of said Court in the year of Our Lord One Thousand Eight Hundred and thirty four, towit

The State of Indiana
vs
John Taylor
} Indictment for violating the Estray Law

Be it remembered that heretofore, towit at a Term of the Hendricks Circuit Court, began and held in the town of Danville on Monday the fourteenth day of October in the year of Our Lord One Thousand Eight Hundred and thirty three, before the Honorable Bethuel F. Morris President Judg as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires apociate Judges of the Hendricks Circuit Court, by the oath of Abner Ragan foreman and his fellows Solomon Blount, Augustine Ellis, Archibald Smith, Zenas Foster, Daniel C Kutts, James Anderson, John S Walker, Abram Speicklemier, Jonathan M Daniel, Samuel Carter, Eli Townsend, Thomas Wooton, Erasmus Nichols and John Hannah. Grand Jurors for the State of Indiana, empanneled, Sworn and Charged to enquire in and for the body of Hendricks County in behalf of the said State of Indiana, Present as follows, towit, State of Indiana Hendricks County

Hendricks Circuit Court, at the October Term thereof, in the year Eighteen Hundred and thirty three. The Grand Jurors for the State of Indiana, empanneled, Sworn and Charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present that John Taylor late of said County Yeoman on the first day of December in the year Eighteen Hundred and thirty One, with force and arms at and in the County aforesaid, did then and there take up as an Estray agreably to the Statute in Such case and provided, One Head of neat Cattle towit, One

Steer of the value of three dollars and fifty Cents, then and there being, and that he the said John Taylor, afterwards, towit, on the first day of October in the year Eigh= =teen hundred and thirty two, and before the property in the said Head of neat Cattle aforesaid, So by him taken up as an Estray as aforesaid was vested in him agreably to the Statute in such case made and provided, towit on the day and year last aforesaid, at the County aforesaid, he the said John Taylor, the said Head of neat Cattle as aforesaid, So by him taken up as an Estray as aforesaid, did then and there Kill and appropriate to his own use Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W Herod prosecutor

Which said bill of Indictment was endorsed A true bill, Abner Ragan foreman of the Grand Jury

And afterword, towit, on the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, at a court holden at the Court House in the town of Danville by the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquire, One of the Associate Judges, as aforesaid. the same being the first Judicial day of the April Term of said Court in the year last aforesaid. Come Herod for the State and the defendant personally comes also, and by his attorney moves the Court to quash the said Indictment. and the premises being Seen. It is considered by the Court here that the said Indictment is Sufficent in Law for the State to have and maintain her Prosecution thereon against the defendant; And the said John Taylor being now arraigned upon the said Indictment, Says he is not guilty, and for trial thereof Puts himself upon the Country and the attorney for the State doth the like. And by agreement this Cause is Submitted to the Court without the intervention of a Jury. and the testimony being heard. It is considered by the Court that the defendant is guilty as Charged, and that he make his fine to the State of Indiana in the Sum of Six dollars, and pay the Costs of this prosecution. And it is ord= ered that the defendant Stand Committed in the Custody of the Sheriff untill said fine and Costs are paid or replevied

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire, one of the associate Judges of the Hendricks Circuit Court, within and for the said County of Hendricks of the April Term of said Court in the year of our Lord One Thousand Eight hundred and thirty four towit

The State of Indiana }
vs } Indictment for an Assault & Battery
James L, Givan }

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of October in the year of our Lord One Thousand Eight hun= =dred and thirty three, before the Honorable Bethuel F Morris president Judge of the fifth Judicial Circuit of the State of Indiana as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, Associate Judges as aforesaid, by the oath of Abner Ragan foreman and his fellows Solomon Blount, Augustine Ellis, Archibald Smith, Zenas Foster, Daniel C Kellets, James Anderson, John S Walker, Abraham Speicklemier, Jonathan M Daniel, Samuel Carter, Eli Townsend, Thomas Coolon, Erasmees Nichols and John Hannah, Grand Jurors for the State of Indiana empannelled. Sworn and Charged to enquire in and for the body of the County of Hendricks in behalf of the State of Indiana present as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court. at the October Term thereof in the

April Term AD 1834

year of Eighteen hundred and thirty three, The Grand Jurors for the State of Indiana empanelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their Oath present that James L Given late of said County Yeoman On the thirteenth day of August in the year Eighteen hundred and thirty three with force and arms at the County aforesaid in and upon the body of One James Wiley then and there being did make an assault and him the said James Wiley did then and there in a rude insolent and angrily manner unlawfully touch, strike, beat and wound Contrary to the form of the Statute in Such case made and provided, and against the peace and dignity of the State of Indiana And afterwards, towit, on the Seventeenth day of ~~April~~ October in the year last aforesaid, the same being the fourth Judicial day of the Term last aforesaid before the Honorable Elijah Anderson & Thomas Lockhart Associate Judges as aforesaid, Come Herod who prosecutes the pleas of the State and the said defendant personally come also, and being arraigned upon said Indictment, Saith he is not guilty as Charged, and for the trial thereof puts himself upon the Country and the attorney for the State doth the like, and thereupon Come the said James L Given and Samuel A Herbrike who severally acknowledged themselves to owe and be indebted to the State of Indiana in the Sum of thirty dollars each to be levied of their respective goods and Chattles, Lands and tenements if default be made in the Condition following, towit, which are that the said James L Given shall be and personally appear before the Judges of this Court on the first day of their next Term to answer unto the State of Indiana, on said Indictment for an assault and battery and not depart without leave of the Court, and this cause is continued And afterwards, towit, on the day and year first aforesaid, before the Judges first aforesaid Come Herod who prosecutes the pleas of the State and the said James L Given personally Come also and being arraigned upon the said Indictment Says he is not guilty as Charged and for trial thereof puts himself upon the country and the attorney for the State doth the like, And by the agreement the trial of the issue aforesaid is submitted to the Court without the intervention of a Jury, and the premises being Seen, It is considered by the Court now here that the defendant is guilty, and that he make his fine to the State of Indiana in the Sum of One dollar and pay the costs of this prosecution. Ordered that the defendant Stand committed in the Custody of the Sheriff until the said fine and costs are paid or replevied

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire, One of the associate Judges of the Hendricks Circuit Court in and for the County of Hendricks, of the April Term of said Court in the year of our Lord One Thousand Eight Hundred and thirty four towit,

The State of Indiana
vs
John Nicholas } Attachment for Contempt

Be it remembered that heretofore towit at a Term of the Hendricks Circuit Court began and held at the Court House in the Town of Danville on Monday the fourteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty three, by the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires associate Judges of the ~~the~~ said Court, and afterwards towit on the third day of the Term last aforesaid, before the Judges

Last aforesaid. It appearing to the Court that the said John Nichols has been duly Served with a Subpoena to attend on the first day of the present term of this Court and testify on behalf of the State on an Indictment against Washington Turner for Swin= =ing, & the said John being thrice called and failing and refusing to appear in Obedience to the Command of the said Subpoena. It is Considered, that for the said Contempt, an attachment issue against the said John Nichols, returnable on the first day of the next term, and that the Clerk endorse thereon, that the said defendant when arrested be discharged from Custody upon his entering into a Several recognizan= =ce with One Security in the Sum of One hundred dollars each, and this Cause is Continued. And afterwards towit On the first day of of the term of the Court first aforesaid, and before the Judge first aforesaid Come the said John Nichols and the premises being Seen & the said Nichols is released from Custody upon payment of the Costs accrued in this behalf, Ordered that the said defendant pay the said Costs in Sixty days and that on failure he be attached

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana And Thomas Lockhart Esquire One of the associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, of the April Term of said Court in the year of Our Lord One Thousand Eight hundred and thirty four, towit,

James Wiley by his next friend Alexander Wiley vs James L Sivan } Trespass & Assault & Battery

Be it remembered that heretofore, towit, on the Seventeenth day of September in the year of Our Lord One Thousand Eight hundred and thirty three, the plaintiff in this cause by Morrison his attorney filed in the Clerks Office of the Hen= =dricks Circuit Court, the following declaration, towit, State of Indiana Hendricks ~~Circuit~~ Court of October Term One Thousand Eight hundred & thirty three. Hendricks County ss

James Wiley, an infant under the age of twenty One years, who sues by his father and next friend Alexander Wiley, plaintiff in this suit, Complains of James L. Sivan defendant in this Suit, of a plea of Trespass, Assault and battery For that the said defen= =dant on the Sixth day of September in the year of our Lord One Thousand Eight hundred and thirty three, at the County aforesaid, with force and arms & made an assault on him the said James Wiley, the plaintiff, and then and there with Sticks, fists and feet gave & Struck the said James Wiley, a great many violent blows, strokes & kicks, on and about his head, face, breast, back, Shoulders, arms, legs and divers other parts of his body, and then and there with great force and violence Struck and pulled about the said James and cast & threw him down upon the ground and then and there violently Kicked him and gave and Struck him a great many other violent blows and strokes, By means of which said Several premises the said James Wiley was then & there greatly hurt, bruised and Wou= =nded And also for that the said defendant, on the twenty ninth day of August in the year last aforesaid, at the County aforesaid, with force and arms, and made an other assault and him the said James Wiley, and then and there again beat, bruised wounded and ill treated him, and other wrongs to him the said James Wiley, the said defendant then and there did Commit, against the peace and dignity of the State of Indiana, and to the damage of the said plaintiff of five hundred dollars And therefore he brings his Suit &c

J Morrison Atty for plaintiff

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and Afterwards towit on the Sixteenth day of October in the year of our Lord One Thousand Eight hundred and thirty three at a term of the Hendricks circuit Court began and held at the Court House in the town of Danville, by the Honorable Bethuel F. Morris President Judge as aforesaid and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of Hendricks Circuit Court aforesaid, the same being the third Judicial day of said term Comes the plaintiff and Alexander Wiley is appointed and admitted by the Court to prosicute this Suit for and on behalf of the said James Wiley who is a minor And on motion the plaintiff has leave to amend his declaration in this behalf, and now files his said declaration as amended And on application of the defendant this cause is continued until the next term at the costs of the plaintiff Ordered that the plaintiff pay the costs within Sixty days and that on failure he be attached And afterwards, towit, on the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, the same being the first Judicial day of the term first aforesaid before the honorable the Judges first aforesaid Come the parties by their attorneys, and by their agreement this Suit is dismissed at the costs of the defendant. It is therefore considered by the Court now here that the plaintiff recover of the defendant the sum of Ten Dollars and Nineteen cents for his costs and charges by him about his recovery in this behalf laid out and expended, and the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire, one of the Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, of the April Term of said Court in the year of Our Lord One Thousand Eight hundred and thirty four, towit,

David Higgins vs James H Hays } Scirefacias on Justices Transcript

Be it remembered that heretofore towit, on the third day of April in the year of our Lord One Thousand Eight hundred and thirty two John C Julien a Justice of the peace within and for the county of Hendricks filed in the Clerks Office of the Hendricks Circuit Court on behalf of the plaintiff herein a Transcript of the proceedings had before him which said Transcript is in the words and figures following, towit, David Higgins vs James Hays

Plaintiffs demand by Note $35,00 due January first 1832 filed March 7th 1832 Summons ispued March 7th 1832 to Henry Rammel Constable, Returnable 12th day of March 1832, Summons returned March 12th 1832 with parties present, the defendant confessed Judgment It is therefore considered that the plaintiff recover of the defendant thirty five dollars with interest thereon until paid together with costs of Suit, and the defendant in mercy &c

John C Julien J.P.

Execution ispued to Henry Rammel Constable March the 15th 1832 Execution returned March the 30th 1832 No property found to make the money

Henry Rammel constable

I Certify the above Transcript to be a true Transcript Copy

of the original Judgment on my Docket, page 165 April 3rd 1832 John C. Julien J.P. (Seal)

And afterwards towit on the nineteenth day of March in the year of our Lord One Thousand Eight Hundred and thirty three a writ of Scirefacias ispued from the Clerks office of said Circuit Court directed to the Shriff of Hendricks County, Commanding him to Summon the said James Hays to be and appear before the Judges of the Hendricks Circuit Court on the second day of their next April term to be holden at the Court House in the town of Danville on the third Monday in said month to shew cause if any he can why execution shall not ispue on said Judgment against his goods and Chattles, lands and tenements. And afterwords to wit at the April Term of said Court began and held in the town of Danville on Monday the the fifteenth day of said month in the year One Thousand Eight hundred and thirty three by the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana as aforesaid, and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of said Hendricks Circuit Court, the aforesaid Writ of Scirefacias was returned by the Shriff of said County with following endorsement thereon, towit, Came to hand March 19th 1833 the within named is not found in my Bailwick. Thos Nichols Shff H.C. Whereupon Came the Plaintiff, and an alias Scirefacias was awarded

And afterwords towit on the Seventeenth day of June in the year last aforesaid an alias Scirefacias ispued from the Clerks office of said Circuit Court, agreably to the above order directed to the Sheriff of said County, which said writ of alias Scirefacias is in the words and figures following, towit, State of Indiana Hendricks County, The State of Indiana to the Sheriff of Hendricks County Greeting. Whereas heretofore, to wit, on the third day of April AD 1832 Came David Higgins by Henry H. Marrin and filed in the Clerks office of the Hendricks Circuit Court a Transcript of a Judgment from the Docket of John C. Julien, a Justice of the peace in and for said County which said Judgment was on said day entered on the Order Book & Judgment Docket of said Court, and which is in the words and figures following, towit. David Higgins vs James Hays. Plaintiffs demand by Note $35,00 Due January first 1832, filed March 7th 1832 Summons ispued March 7th 1832 to Henry Rammel Constable Returnable 12th day of March 1832, Summon returned March 12th 1832 with the parties present. It is therefore considered that the Plaintiff recover of the defendant thirty five dollars with interest thereon untill paid, together with costs of Suit, and the defendant in mercy &c

John C Julien J.P.

Execution ispued to Henry Rammel Constable March the 15th 1832

Execution returned March the 30th 1832 no property found to make the money

Henry Rammel Constable

I certify the above Transcript to be a true copy of the original Judgment on my docket page 165 April 3rd 1832 John C. Julien J.P. (Seal)

And Whereas afterwords, to wit, on the 19th day of March 1833 a writ of Scirefacias ispued from the Clerks office in said county directed to the Shriff of Hendricks County Commanding him to Summon the said James Hays to be and appear before the Judges of the Hendricks Circuit Court on the second day of their last April term to shew cause if any he could why execution should not ispue on said Judgment against his goods and chattles Lands and tenements. And afterwords towit on the Tuesday 16th of April 1833 the same being the second Judicial day of the April term of the Hendricks Circuit Court, the said writ of Scirefacias was returned into Court with the following endorsement thereon, towit, Came to hand March 19th 1833 the within named is not found in my bailwick

Shffs fees 10 cts

Thos Nichols Shff H.C.

April Term AD 1834

And afterwards, towit, on the said 16th day of April 1833 came the plaintiff herein and the process having been returned as aforesaid, this cause was continued as and an alias Scirefacias awarded You are therefore hereby commanded to Summon the said James Hays to be and appear before the Judges of the Hendricks Circuit Court on the Second day of their next October term, to be holden on the Second Monday in said Month at the Court House in Danville to Shew Cause if any he can why execution shall not ispue on said Judgment, against his goods and chattles Lands and Tenements, and therein you shall in nowise fail, and have you then and there this writ Given under my hand with the Seal of said Court affixed at Danville this 17th day of June 1833 C.J. Hadley clerk

And afterwards, to wit, on the Sixteenth day of October in the year last aforesaid the same being the third Judicial day of the October term of the Hendricks Circuit Court, before the Honorable the Judges last aforesaid, the the said alias Scirefacias was returned with the following endorsement thereon, Came to to hand June 1833 Served on the within named Hays by reading as within I and commanded June 19th 1833 Thos. Nichols Shff Hc

Whereupon Come the parties, and the defendant moves the Court to quash the writ in this behalf. and the premises being Seen the said writ is quashed, and further proces is awarded, and this cause is continued

And afterwards, towit, on the twenty eighth day of March in the year of our Lord one Thousand Eight hundred and thirty four a Pluries Scirefacias ispued from the Clerks office of the said Hendricks Circuit Court, directed to the Sheriff of Hendricks County Commanding him as he had heretofore been commanded, to Summon the said James Hays to be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next April Term to be holden at the Court House in the town of Danville on the Second Monday in said month to Show Cause if any he can why Execution Shall not ispue on said Judgment against his goods and Chattels, Lands and tenements and afterwords to wit on the fifteenth day of April in the year of our Lord one Thousand Eight hundred and thirty four, the same being the Second Judicial day of the April Term of said Hendricks Circuit Court, began and held in the town of Danville, by the Honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire One of the Associate Judges as aforesaid, the said last mentioned Scirefacias was returned with the following end-orsement thereon, towit, Came to hand March 29th 1834 Served on the within named as I am commanded March 29th 1834 James Sizzon Shff By Wesly McKinley DS

Whereupon Come the parties by their attorneys, and the defendant files his plea to the scirefacias aforesaid, which said plea is in the words and figurs following towit David Higgins vs James H Hays In the Hendricks Circuit Court, April term AD 1834 And the said James H Hays by Nove his attorney comes and defends the wrong and injury when &c And Says that there is not any record of the said Supposed recovery in the said Scirefacias mentioned remaining in the Court of John C Sulivin Justice of the peace in manner and form as the said David Higgins plaintiff hath above in his said Scirefacias alleged, and this he the said James H Hays defendant is ready to verify by the record in the office of John C. Sulivin Justice of the peace aforesaid, wherefore he prays Judgment, if the said David Higgins Plaintiff ought to have and maintain his aforesaid

April Term AD 1834

And afterwards, towit, on the said 16th day of April 1833 came the plaintiff herein and the process having been returned as aforesaid, this cause was continued as and an alias Scirifacias awarded You are therefore hereby commanded to Summon the said James Mays to be and appear before the Judges of the Hendricks Circuit Court on the Second day of their next October term, to be holden on the Second Monday in said Month at the Court House in Danville to Shew Cause if any he can why execution shall not ispue on said Judgment against his goods and chattles Lands and Tenements, and herein you shall in no wise fail, and have you then and there this writ Given under my hand with the Seal of said Court affixed at Danville this 17th day of June 1833 C.T. Hadley clerk

And afterwards, to wit, on the Sixteenth day of October in the year last aforesaid the same being the third Judicial day of the October term of the Hendricks Circuit Court, before the Honorable the Judges last aforesaid, the the said alias Scirifacias was returned with the following endorsement thereon, Came to to hand June 1833 Served on the within named Mays by reading as within Said Commanded June 19th 1833 Thos. Nichols Shff H C

whereupon Come the parties, and the defendant mooved the Court to quash the writ in this behalf. and the premises being Seen the said writ is quashed, and further process is awarded, and this cause is Continued

And afterwards, towit, on the twenty eighth day of March in the year of our Lord one Thousand Eight hundred and thirty four a Pluries Scirifacias ispued from the Clerks office of the said Hendricks Circuit Court, directed to the Sheriff of Hendricks County Commanding him as he had heretofore been commanded, to Summon the said James Mays to be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next April Term to be holden at the Court House in the town of Danville on the Second Monday in said month to Show Cause if any he can why Execution Shall not ispue on said Judgment against his goods and Chattels, Lands and tenements And afterwards to wit on the fifteenth day of April in the year of our Lord one Thousand Eight hundred and thirty four, the same being the Second Judicial day of the April Term of said Hendricks Circuit Court, began and held in the town of Danville, by the Honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire One of the Associate Judges as aforesaid, the said last mentioned Scirefacias was returned with the following endorsement thereon, towit, Came to hand March 29th 1834 Served on the within named as Said Com within commanded March 29th 1834 James Sizer Shff By Wesly McKinley DS

Whereupon Come the parties by their attorneys, and the defendant files his plea to the scirefacias aforesaid, which said plea is in the words and figures following towit David Higgins vs James H Mays In the Hendricks Circuit Court, April term AD 1834 And the said James H Mays by Nove his attorney comes and defends the wrong and injury When &c And Says that there is not any record of the said Supposed recovery in the said Scirefacias mentioned remaining in the Court of John C Sulsin Justice of the peace in manner and form as the said David Higgins plaintiff hath above in his said Scirefacias alleges, and this he the said James H Mays defendant is ready to verify by the record in the office of John C. Sulsin Justice of the peace aforesaid, wherefore he prays Judgment, if the said David Higgins Plaintiff ought to have and maintain his aforesaid

action upon the Scirefacias, thereof against him the said James H Hays defendant &c
C, C, Nave Atto for Plff

And the plaintiff files his replication thereto which said replication is in the words and figures following, towit, David Higgins vs James H Hays And the plaintiff comes and for replication to the plea of the defendant in this behalf above pleaded, saith that there is a record of this remaining in the said writ of Scirefacias named, remaining on the docket of the said Justice of the peace in said Scirefacias named, a transcript whereof is on file in this Court, as is in the said Scirefacias alleged, and this he the said David prays may be enquired of by the transcript aforesaid of the docket aforesaid on file & remaining of record in this Court as is in said Scirefacias alleged which transcript he here brings into Court And prays Judgment. W W Wick for Plff And the defendant adds his Surrilleter thereto as follows And the defendant doth the like, Nave for Plff and the cause upon the issue aforesaid being submitted to the court, and the premises being seen It is considered by the Court now here that the plaintiff have execution against the goods and chattels lands and tenements of the said defendant for the said Sum of thirty five dollars ~~with~~ four dollars & twenty cents for the interest accrued thereon making together the Sum of thirty nine dollars and twenty cents and also for one dollar and thirteen cents for the costs taxed by the Justice, together with Eight dollars and Ninety Seven Cents for his costs and charges in this behalf laid out and expended, and the defendant in mercy &c.

Pleas before the Honorable Bethuel F Morris President Judge of of the fifth Judicial Circuit of the State of Indiana, And Thomas Lockhart Esquire One of the Associate Judges of the Hendricks Circuit Court within and for said County of Hendricks of the April Term of said Court in the year of Our Lord One thousand Eight hundred and thirty four, towit,

Owen Dean
vs
Thomas J Walker } Appeal

Be it remembered that heretofore, towit, on the Eleventh day of October in the year of Our Lord One thousand Eight hundred and thirty three Christian Hartman a Justice of the peace within and for the County of Hendricks filed in the Clerks office of the Hendricks Circuit Court on behalf of the defendant, the cause of action, plea, and a Transcript of the proceedings had before him in the above entitled cause, and which are in in the words and figures following, towit, First the cause of action as follows

Owen Dean vs Thomas J Walker. Plaintiff complains of said defendant failing to perform contract, said defendant was to pay said plaintiff against Christmas 1832, balance on purchaise of Sheep the sum of Seventeen dollars & Sisety two cents, which said defendant failed to pay, therefore said plaintiff sues &c Aug 20th 1833 Owen Dean

The defendants plea as follows, Owen Dean vs Thomas J Walker now comes the defendant, and pleads that the plaintiff ought not to sustain his action against said defendant, because said defendant Paid up said plaintiff with notes on One Samuel Herreman, and said plaintiff has not sued the said Herreman and called upon him the said Herreman as the said plaintiff was to do, therefore said defendant contends Sept the 7th 1833 Thomas J Walker

action upon the Scirefacias, thereof against him the said James H Hays defendant &c
C,C, Nave Atto for Plff
And the plaintiff files his replication thereto which said replication is in the words and figures following, towit, David Higgins vs James H Hays And the plaintiff comes and for replication to the plea of the defendant in this behalf above pleaded, saith that there is a record of this remaining in the said court of Scirefacias named, remaining on the docket of the said Justice of the peace in said Scirefacias named, a transcript whereof is on file in this Court, as is in the said Scirefacias alleged, and this he the said David prays may be enquired of by the transcript aforesaid of the docket aforesaid on file & remaining of record in this court as is in said Scirefacias alleged which transcript he here brings into Court And prays Judgment. W.W. Wilkerson Plff
And the defendant adds his Similiter thereto as follows And the defendant doth the like, Now Jordy and the cause upon the issue aforesaid being submitted to the court, and the premises being seen It is considered by the court now here that the plaintiff have execution against the goods and chattels lands and tenements of the said defendant for the said Sum of thirty five dollars ~~with~~ four dollars & twenty cents for the interest accrued thereon making together the sum of thirty nine dollars and twenty cents and also for one dollar and thirteen cents for the costs taxed by the Justice, together with Eight dollars and Ninety Seven cents for his costs and charges in this behalf laid out and expended, and the defendant in mercy &c.

Pleas before the Honorable Bethuel F. Morris President Judge of of the fifth Judicial circuit of the State of Indiana, And Thomas Lockhart Esquire One of the associate Judges of the Hendricks Circuit court within and for said county of Hendricks of the April Term of said court in the year of our Lord One thousand Eight hundred and thirty four, towit,

Owen Dean
vs
Thomas J Walker } Appeal

Be it remembered that heretofore, towit, on the Eleventh day of October in the year of Our Lord One thousand Eight hundred and thirty three Christian Hartman a Justice of the peace within and for the county of Hendricks filed in the Clerks office of the Hendricks Circuit court on behalf of the defendant, the cause of action, plea, and a Transcript of the proceedings had before him in the above entitled cause, and which are in in the words and figures following, towit, First the cause of action as follows

Owen Dean vs Thomas J Walker. Plaintiff complains of said defendant faileing to perform contract, said defendant was to pay said plaintiff against Christmas 1832, balance on purchaise of Sheep the sum of Seventeen dollars & Sixty two cents, which said defendant failed to pay, therefore said plaintiff Sues &c Aug 20th 1833
Owen Dean

The defendants plea as follows, Owen Dean vs Thomas J Walker now comes the defendant, and pleads that the plaintiff ought not to sustain his action against said defendant, because said defendant Paid unto said plaintiff with notes on One Samuel Herreman, and said plaintiff has not Sued the said Herreman and called upon him the said Herreman as the said plaintiff was to do, therefore said defendant contends Sept the 7th 1833
Thomas J Walker

April Term AD 1834

The Transcript — Owen Dean vs Thomas J Walker. Action of Sumset, Demond $17. 62½ Account filed on the 20th day of August 1833 On the 7th day of Sept 1833 appeared Owen Dean plaintiff & Thomas J Walker Deft & both agreed to enter Suit without proceps. the both being redy for trial the case being called & the plaintiff demanded Subpoena for one witness the pleas being read. the witness Sworn, trial entered in, & after the case being fully heard & inspected It is therefore considered that plaintiff recover of the defendant the Sum of Seventeen dollars & Sixty two & a half cents, & at interest at the rate of Six percent till paid from the 7th day of Sept 1833 with Costs of Suit taxed at 50 cents, And the defendant in mercy &c

fees	
Entry	12½
Sub	25
Seag	12½
Transcript	25
Bond	25
returning	56¼
	$1,56¼

September the 7th 1833 Christian Hartman Justice of the peace Seal

I do hereby Certify this is a true Transcript from my docket. Given under my hand Seal Oct the 8th 1833 C. Hartman Justice of the P Seal

And afterwards, towit, on fifteenth day of October in the year last aforesaid, the Same being the Second Judicial day of the October term of the Hendricks Circuit Court. before the Honorable Bethuel F. Morris President Judg as aforesaid and Elijah Anderson and Thomas Lockhart Esquires, apociate Judges of said court. Come the parties and the papers herein not having been filed with the clerk of this Court ten days before the first day of this term, this cause is continued

And afterwards towit on the fifteenth day of April in the year of our Lord One thousand Eight hundred and thirty four, the Same being the Second Judicial day of the April of the Hendricks circuit Court, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquires One of the apociate Judges of said Court as aforesaid Come the parties by their attorneys. and this Cause is Submitted to the Court And the allegations and proofs being heared and the premises Seen and inspected

It is considered by the Court now here that the plaintiff recover of the defendant the Sum of fourteen dollars and Ninety three Cents, and also the Sum of Eleven dollars and Eighteen & three fourth cents for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judg of the fifth Judicial Circuit of the State of Indiana And Thomas Lockhart Esquire one of the Apsociate Judges of the Hendricks Circuit Court within and for the County of Hendricks of the April Term of said Court in the year of our Lord One Thousand Eight hundred and thirty four, towit,

George Miller
vs
James McFeel } Appeal

Be it remembered that heretofore, towit, on the Sixth day of February in the year aforesaid, Noah Harding a Justice of the peace within and for the County of Hendricks aforesaid filed in the clerks Office of the Hendricks Circuit Court the following Transcript, Scirefacias and plea in the above entitled Cause, towit, first the Transcript as follows. George Miller vs Hezekiah Harper, Plaintiffs demand by Note $9 18¾ due September the 23rd 1831 filed September the 24th 1831 Be it remembered that on the 24th of September 1831 Personally appeared the defendant and filed his affidavit prescribed by law and confessed Judgment. It is therefore considered that the plaintiff recover of the defendant Nine dollars and 18¾ cents with interest from the 23rd of September 1831 till

April Term AD 1834

The Transcript — Owen Dean vs Thomas J Walker. Action of Seunset, Demand $17.62½ Account filed on the 20th day of August 1833 On the 7th day of Sept 1833 appeared Owen Dean plaintiff & Thomas J Walker Deft & both agreed to enter Suit without proces. the both being ready for trial the case being Called & the plaintiff demanded Subpoena for one witness

fees	
Entry	12½
Sub	25
Sub dft	12½
Transcript	25
Bond	25
returning	56¼
	$1,56¼

the pleas being read, the witness Sworn, trial entered in, & after the case being fully Heard & inspected It is therefore Considered that plaintiff recover of the defendant the Sum of Seventeen dollars & Sixty two & a half cents, & at interest at the rate of Six percent till paid from the 7th day of Sept 1833 with Costs of Suit taxed at 50 cents, and the defendant in mercy &c

September the 7th 1833 Christian Hartman Justice of the peace Seal

Ido hereby Certify this is a true Transcript from my docket. Given under my hand Seal Oct the 8th 1833 C. Hartman Justice of the P Seal

And afterwards, towit, on fifteenth day of October in the year last aforesaid, the Same being the Second Judicial day of the October term of the Hendricks Circuit Court. before the Honorable Bethuel F Morris President Judge as aforesaid and Elijah Anderson and Thomas Lockhart Esqeires, Associate Judges of said court. Come the parties and the papers herein not having been filed with the clerk of this Court ten days before the first day of this term, this cause is continued

And afterwards towit on the fifteenth day of April in the year of our Lord One thousand Eight hundred and thirty four, the Same being the Second Judicial day of the April of the Hendricks circuit court, before the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquire One of the Associate Judges of said Court as aforesaid Come the parties by their attorneys. and this cause is Submitted to the Court And the allegations and proofs being heared and the premises Seen and inspected

It is considered by the Court now here that the plaintiff recover of the defendant the Sum of fourteen dollars and Ninety three Cents, and also the Sum of Eleven dollars and Eighteen & three fourth cents for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana And Thomas Lockhart Esquire One of the Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks of the April Term of Said Court in the year of our Lord One Thousand Eight Hundred and thirty four, towit,

George Miller
vs
James McFeel } Appeal

Be it remembered that heretofore, towit, on the Sixth day of February in the year aforesaid, Noah Harding a Justice of the peace within and for the County of Hendricks aforesaid filed in the Clerks Office of the Hendricks Circuit Court. the following Transcript, Scirefacias and plea in the above entitled Cause, towit, first the Transcript as follows, George Miller vs Hezekiah Harper, Plaintiffs demand by Note $9 18¾ dues September the 23rd 1831 filed September the 24th 1831 Be it remembered that on the 24th of September 1831 Personally appeared the defendant and filed his affidavit prescribed by law and confesed Judgment. It is therefore considered that the plaitiff recover of the defendant Nine dollars and 18¾ cents with interest from the 23rd of September 1831 till

paid, together with costs of Suit, and the defendant in mercy &c J.C. Julien JP

Execution ispued to Faught September 26th 1831. I James McTeel acknowledge myself Security for the above debt, interest and cost, and all costs that may accrue, this the 13th of October 1831

James McTeel

The above Judgment is transcribed from the Docket of Wm Faught late Esqeire on the 9th day of January 1834 taken from page 18 Execution ispued on the above Judgment to G Mefford Const the 9th day of January 1834, Said Execution returned on the 11th day of January 1834, towit, The defendant not found in the County and from good inf= =ormation has not resided in the county for two years past & no property found whereon to levey a Scirefacias to G Mefford Con. G Mefford Con. on the 11th day of January 1834 against James McTeel, returnable on the 17th of this instant at 12 oclock, on said day, January the 17th 1834 the aforesaid Scirefacias was returned Served by reading the same day, G Mefford Cons. The defendant now present, motions to rule the plaintiff to give Security for costs of said Suit, which is done as follows, this cause is carried to page 271 I do hereby bind myself surety by these presents as Security for all costs in this case George Miller vs James McTeel on a Scire= facias against the said James McTeel as the Security of the to a Judgment in favour of George Miller vs Hezekiah Harper. Given unar my hand and Seal, this the 17th January 1834

James Anderson Seal

The Defendant by his Attorney C C Nave now files his plea, the parties both present the plaintiff by his Agent James Anderson and the defendant in his own proper person, and after all things are heared, & mature examination of the premises had, It is consid= =ered that the plaintiff have execution awarded against the defendants goods and chattels for the full amount of the aforesaid Judgment, and interest towit $10.46¾ cents debt & interest and $1.47½ cents costs, together with costs of this Suit, and the defendant in mercy &c Given under my hand and Seal, this 18th day of January 1834 Noah Harding J.P. Seal

Execution ispued to Gideon Mefford Con. on the 22nd day of January 1834, Execution returned January 25th 1834 by Order of the Justice

Gideon Mefford Con.

I do certify that the above is a true Transcript taken from my Docket containing the proceedings had before me, Given from under my hand, this 3rd day of February 1834

Noah Harding J Peace

The Scirefacias as follows State of Indiana Hendricks county ss To G Mefford Con. of Centre Township, Greeting Whereas George Miller obtained a Judgment against Hez= kiah Harper on the 24th day of September 1831 before John C Julien then an acting Justice of the Peace in and for Centre Township for the sum of $9 18¾ with Interest from the 23rd day of September 1831 till paid together with costs of said Suit taked on the 24th day of September 1831 as aforesaid and Whereas the defendant Dock= =et of the said Julien is now deposited in the office of me the undersigned a Justice of the peace of said Township by Wm Faught the Succesor of the aforesaid Justice by reason of Vacation, and as said Judgment was duly transcribed by me the under= =signed Justice to my Docket on the 9th January 1834, and an Execution ispued on said Judgments against the Judgment debter on the said 9th day of January as aforesaid to Gideon Mefford Con. and said execution returned by said Con. on the 11th day of January 1834 as follow The defendant not found in the county and from good information has not resided in the county for two years past, and no property found whereon to levey

G Mefford Con

And Whereas it appears that James McTeel entered himself Security to said Judgment on the 13th day of Oct 1831 you are therefore hereby commanded to Summon James McTeel to appear before me the undersigned Justice of on the 17th of this inst, at 12 oclock on said day at my office therein to shew

paid, together with costs of Suit, and the defendant in mercy &c J.C. Julien JP

Execution issued to Faught September 26th 1831. I James McTeel acknowledge myself Security for the above debt, interest and cost, and all costs that may accrue, this the 13th of October 1831 James McTeel

The above Judgment is transcribed from the Docket of Wm Faught late Esquire on the 9th day of January 1834 taken from page 18 Execution issued on the above Judgment to G Mufford Const the 9th day of January 1834, said Execution returned on the 11th day of January 1834, towit, The defendant not found in the County and from good inf= =ormation has not resided in the County for two years past & no property found whereon to levey G Mufford Con. a Scirefacias to G Mufford Con. on the 11th day of January 1834 against James McTeel, returnable on the 17th of this instant at 12 oclock, on said day, January the 17th 1834 the aforesaid Scirefacias was returned Served by reading the same day, G Mufford Cons. The defendant now present, motions to rule the plaintiff to give Security for costs of said Suit, which is done as follows, this cause is carried to page 271 I as hereby by bind myself surely by these presents as Security for all costs in this case George Miller vs James McTeel on a Scire= facias against the said James McTeel as the Security of the to a Judgment in favour of George Miller vs Hezekiah Harper. Given under my hand and Seal, this the 17th January 1834 James Anderson (Seal)

The Defendant by his Attorney C C Nave now files his plea, the parties both present the plaintiff by his Agent James Anderson and the defendant in his own proper person, and after all things are heared, & mature examination of the premises had, It is consid= =ered that the plaintiff have execution awarded against the defendants goods and chattels for the full amount of the aforesaid Judgment, and interest towit $10.46¾ cents debt & interest and $1.47½ cents costs, together with costs of this Suit, and the defendant in mercy &c Given under my hand and seal, this 18th day of January 1834 Noah Harding J.P. (Seal)

Execution issued to Gideon Mufford Con. on the 22nd day of January 1834, Execution returned January 25th 1834 by Order of the Justice Gideon Mufford Con.

I do certify that the above is a true Transcript taken from my Docket containing the proceedings had before me, Given from under my hand, this 3rd day of February 1834 Noah Harding J Peace

The Scirefacias as follows State of Indiana Hendricks County ss To G Mufford Con. of Centre Township, Greeting Whereas George Miller obtained a Judgment against Hez= =ekiah Harper on the 24th day of September 1831 before John C Julien then an acting Justice of the peace in and for Centre Township for the sum of $9 18¾ with Interest from the 23rd day of September 1831 till paid together with costs of said Suit taked on the 24th day of September 1831 as aforesaid and Whereas the defendant Dock= =et of the said Julien is now deposited in the office of me the undersigned a Justice of the peace of said Township by Wm Faught the Succesor of the aforesaid Justice by reason of Vacation, and as said Judgment was duly transcribed by me the under= =signed Justice to my Docket on the 9th January 1834, and an Execution issued on said Judgments against the Judgment debter on the said 9th day of January as aforesaid to Gideon Mufford Con. and said execution returned by said Con. on the 11th day of January 1834 as follow The defendant not found in the county and from good information has not resided in the county for two years past, and no property found whereon to levey G Mufford Con

And Whereas it appears that James McTeel entered himself Security to said Judgment on the 13th day of Oct 1831 you are therefore hereby commanded to Summon James McTeel to appear before me the undersigned Justice of on the 17th of this inst, at 12 oclock on said day at my office therein to Shew

April Term AD 1834

cause if any he have why execution shall not issue against him for said debt, interest and cost, and of this writ make legal Service and due return Given under my hand and seal this the 11th day of January 1834 Noah Harding J.P. Seal

The Defendants Plea ——— George Miller vs James M Teel, upon Scirefacias demand $9, 18¾ And comes the said James M Teel by his attorney, and sets the following causes for why the said George Miller Plaintiff shall not have Judgment and execution against the goods & chattles of the said James M Teel upon the Scirefacias aforesaid, Cause first, the Scirefacias does not state that the Judgment George Miller against Hezekiah Harper ever was repleveed by person or persons, nor does it set forth the replevy bond, in any part thereof which is the foundation of the plaintiffs cause of action, against the replevy bail Wherefore he prays Judgment of the Scirefacias James M Teel

Cause 2nd The Scirefacias does not Shew that an execution ever was issued by John G Julien a Justice of the peace in Centre Township to Wm Faught const in the case George Miller vs Hezekiah Harper, when in fact and in truth an execution was issued by the said John G Julein as aforesaid to the Constable of Center Township against the goods and chattles of Hezekiah Harper the Judgment debtor on the 26th day of September 1831 and has never been returned by the said Constable aforesaid into the office aforesaid as he was bound to do, according to law, And this the said James M Teel is ready to verify by the record, Wherefore he prays Judgment of the Scirefacias by the Court. James M Teel

Cause 3rd The Scirefacias does not State how said Judgment was obtained whether by the ordinary procep of law, or that the same was confessed by the said Hezekiah Harper to the said George Miller before John G Julien on the 2d Sept 1831 Wherefore the said James M Teel deft prays Judgment of the Scirefacias by the Court James M Teel

Cause 4th And this defendant, further says actio non because he says that the said Scirefacias George Miller against James M Teel is wholy insufficient in law for the said George Miller to have execution and Judgment upon the Judgment George Miller against Hezekiah Harper the Judgment debtor, therefore, he prays Judgment by the Court of the Scirefacias James M Teel

Cause 5th The execution issued by Noah Harding a Justice of the peace on the 9th January 1834 To Gideon Heffford Const. of Center Township and was by him illegally returned on the 11th day of January 1834 Wherefore he prays Judgment of the Scirefacias James M Teel

And afterwards, towit, on the fifteenth day of October in the year one Thousand Eight hundred and thirty four the same being the Second Judicial day of the Term aforesaid, began and held in the town of Danville by the Honorable the Judges aforesaid Come the parties by their attorneys and on motion of the defendant, the plaintiffs writ of Scirefacias in this behalf is quashed and set a side It is therefore considered by the Court here that the plaintiff take nothing by his suit And that the defendant recover of the plaintiff the sum of Seven dollars Eighty two and a half cents for his costs and charges by him about his defence laid out and expended

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Thomas Lockhart Esquire One of the Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court, began and held at the Court House in Danville on Monday the fourteenth day of said month in the year of Our Lord One Thousand Eight Hundred and thirty four, towit,

Lucius H Scott & John Scott vs William Johnson } Debt

Be it remembered that heretofore, towit, on the Sixteenth day of November in the year of our Lord One Thousand Eight Hundred and thirty three, the above entitled plaintiffs by Nave their attorney, filed in the Clerks Office of said Hendricks Circuit Court a note and Declaration in the above cause, which are in the words and figures following, towit, First the Note

Terre Haute 1st July 1833 $110,22 Four months after date I promise to pay L H & J Scott or order One Hundred & ten dollars & twenty two cents for value Rec^d

William Johnson

The Declaration ——— State of Indiana Hendricks County SS Hendricks Circuit Court Court April Term A.D. 1834 Lucius H Scott and John Scott, by the name and description of L. H. & J Scott, plaintiffs complains of William Johnson defendant in custody &c of a plea of Trespass on the case upon a promesary note to their damage &c

For that Whereas the said William Johnson defendant heretofore, towit, on the first day July 1833, at Terre Haut, towit, In the county aforesaid and State of Indiana, and within the Jurisdiction of the Hendricks Circuit Court, made his certain promisary note in writing Signed with his name and now hereto the Court produced, Whereby he the said William Johnson defendant did then and there four months after the date thereof, then next ensuing the date of the said promisary note in writing Signed with his name, promised to pay Lucius H Scott and John Scott by the name and description of L H & J Scott, or order the sum of One Hundred and ten dollars twenty two cents, for value received Which said promisary note was Signed by the name & description of William Johnson deft as aforesaid Yet the said William Johnson deft not regarding his said promise and undertaking in writing as in said note Specified. Hath not, and did not four months after the date aforesaid note thereafter pay to the said Lucius H Scott & John Scott or their order the said sum of One Hundred and ten dollars twenty two cents, or any part thereof nor hath he in any wise Satisfied the same to the said Lucius H Scott and John Scott Plff. But hath hitherto wholly failed and refused so to do, although often requested by the Plffs at towit in the county aforesaid, and still doth fail and refuse, to the damage of the said plaintiffs two hundred dollars. Wherefore they bring their Suit &c C. C. Nave atty for Plffs

And afterwards, towit. On the fifteenth day of April in the year of Our Lord One thousand Eight Hundred and thirty four. the same being the Second Judicial day of the term aforesaid of the Court aforesaid before the Judges aforesaid Come the plaintiffs by their Attorney and it appearing to the Satisfaction of the Court that the process in this Cause was duly Served upon the defendant at least ten days before the first day of the present term, the said defendant is thrice called but Comes not and

Pleas before the Honorable Bethuel F. Morris Presedent Judge of the fifth Judicial Circuit of the State of Indiana And Thomas Lockhart Esqeire One of the Apsociate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court, began and held at the Court House in Danville on Monday the fourteenth day of said month in the year of Our Lord One Thousand Eight Hundred and thirty four, towit,

Lucius H Scott & John Scott vs William Johnson } Debt

Be it remembered that heretofore, towit, on the Sixteenth day of November in the year of our Lord One Thousand Eight Hundred and thirty three, the above entitled plaintiffs by Save their attorney, filed in the Clerks Office of said Hendricks Circuit Court a note, and Declaration in the above cause, which are in the words and figures following, towit, First the Note

Terre Haute 1st July 1833 $110,22 Four months after date I promise to pay L H & J Scott or Order One Hundred & ten dollars & twenty two cents for value Rec^d

William Johnson

The Declaration ____ State of Indiana Hendricks County SS Hendricks Circuit Court Court April Term A.D. 1834 Lucius H Scott and John Scott, by the name and description of L. H. & J Scott, plaintiffs complains of William Johnson defendant in custody &c of a plea of Trespas on the Case upon a promesary note to their damage &c

For that Whereas the said William Johnson defendant heretofore, towit, on the first day July 1833, at Terre Haut, towit, In the county aforesaid and State of Indiana, and within the Jurisdiction of the Hendricks Circuit Court, made his certain promisary note in writing Signed with his name and now hereto the Court produced, Whereby he the said William Johnson defendant did then and there four months after the date thereof, then next ensuing the date of the said promisary note in writing Signed with his name, promised to pay Lucius H Scott and John Scott by the name and description of L H & J Scott, or order the sum of One Hundred and ten dollars twenty two cents, for value received Which said promisary note was Signed by the name & description of William Johnson deft as aforesaid Yet the said William Johnson deft not regarding his said promise and undertaking in writing as in said note Spe= =cified. hath not, and did not four months after the date aforesaid note there after pay to the said Lucius H Scott & John Scott or their order the said Sum of One Hundred and ten dollars twenty two cents, or any part thereof nor hath he in any wise Satisfied the same to the said Lucius H Scott and John Scott Plff. But hath hitherto wholly failed and refused so to do, although often requested by the plffs at towit in the county aforesaid, and still doth fail and refuse, to the damage of the said plaintiffs two hundred dollars. Wherefore they bring their Suit &c C. C. Nave atty for Plffs

And afterwards, towit. On the fifteenth day of April in the year of Our Lord One thou= =sand Eight Hundred and thirty four. the Same being the Second Judicial day of the term aforesaid of the Court aforesaid before the Judges aforesaid Come the plaintiffs by their Attorney and it appearing to the Satisfaction of the Court that the process in this Cause was duly Served upon the defendant at least ten days before the first day of the present Term, the said defendant is thrice called but Comes not and=

April Term AD 1834

makes default And the premises being Seen It is considered by the Court now here that the plaintiff recover of the defendant the Seem of One Hundred and ten dollars and twenty two cents in debt. and three dollars and three cents in damages for the detention thereof, making together the Seem of One Hundred and thirteen dollars and twenty five cents, together with the Seem of five dollars and fifty one and three fourth cents for their costs and charges by them about their recovery in this behalf laid out and expended, and the defendant in mercy &c

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William S Crawford vs James Dugan } Scire facias from Justices Transcript

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire one of the Associate Judges of the Hendricks Circuit Court, within and for the Hendricks County of the April Term of Said Court, in the year of our Lord One Thousand Eight Hundred and thirty four

Be it remembered that heretofore, towit, on the fifth day of February in the year aforesaid, the above entitled Plaintiff William S Crawford, filed in the Clerks office of the Hendricks Circuit Court, a Transcript of a Judgment from the Dockett of Noah Harding a Justice of the peace in and for the County of Hendricks, which said Transcript is in the words and figures following towit

State of Indiana Hendricks County County Sct. Wm S Crawford vs James Dugan towit, The Plaintiffs demand by Note filed on the 30th day of December 1833 on or before the 25th day of Dec 1833 and Wm S Crawford Fifty dollars for value received of him this 30th day of August 1832

James Dugan Seal

P J. Hadley

Justice fees	
Entry	12½
Issue S	12½
Jud	12½
Exec	12½
Trans	25
Cons fees	
S S	25
Return	5
Rec Fee	10

A Summon issued against the Defendant on the above cause of action on the 30th day of December 1833 to G Hufford Cons, Returnable on the 3rd day of January 1834 at 10 Oclock A M on said day Afterwards, towit, on the 3rd day of January 1834 the aforesaid Summons is returned as follows, towit, Served by reading the Same day G Hufford Cons And at this time towit on the 3rd day of January 1834 at 10 oclock A M on said day the parties are three called the plaintiff comes in his own proper person, but the defendant makes default It is therefore Considered that the plaintiff recover of the defendant the Seem of $50,00 Debt and 6¼ cents damage for the detention thereof, making altho gether the Seem of $50.06¼ Cents together with costs of Suit and the defendant in mercy &c Given under my hand and Seal, this 3rd day of January 1834

Noah Harding J P Seal

Execution issued to G. Hufford Cons on the 4th day of January 1834 Said Execution is returned on the 3rd day of February 1834, towit, there is no property of the Defendants found in the said County of Hendricks whereon to Levy

Gideon Hufford Cons

Received on the above Judgment $3,06¼ this the 4 day of February 1834

Wm S Crawford

I do certify that the above is a true Transcript taken from my Docket of the proceedings had before Given from under my hand this the 5th day of February 1834
Noah Harding J Peace

And afterwards. to wit. on the fifteenth day of April in the year of our Lord one Thousand Eighteen hundred and thirty four, at a court began and held in the town of Danville by the honorable the Judges aforesaid the same being the Second Judicial day of the April Term of said court in the year last aforesaid Came the plaintiff by his attorney and it appearing to the satisfaction of the court, that the writ of Scirefacias in this cause was Served on the defendant ten days before the first day of the present term of this court, the said James Dugan is thrice called but comes not and remains therein wholly undefended. And the premises being seen It is considered by the court now here that the plaintiff have his Execution against the goods and Chattels, lands and tenements of the said defendant for the said Sum of forty Seven dollars and two cents, with the sum of Eighty three cents for the interest accrued thereon making together the Sum of forty Seven dollars and Eighty five five cents also the Sum of one dollar & fifteen cents for the costs taxed by the Justice and also the Sum of Four dollars ninety Six cents and charges in this behalf laid out and expended, and the defendant in mercy &c

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana. And Thomas Lockhart Esquire one of the Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks. of the April Term of said Court in the year of our Lord one Thousand Eight hundred and thirty four towit,

William S Crawford } Scirefacias on Justices Transcript
vs
James Dugan }

towit, on the fifth
towit. on the fifth day of February in the year aforesaid William S Crawford the above entitled plaintiff, filed in the clerks office of the said Hendricks Circuit Court a Transcript of a Judgment from the docket of Noah Harding a Justice of the peace in and for said County of Hendricks which said Transcript is in the words and figures following towit State of Indiana Hendricks County
Wm S Crawford vs James Dugan The plaintiffs demand by Note Filed on the 30th day of December 1833 towit On or before the twenty fifth day of December 1833 due Wm S Crawford fifty dollars for value Rec'd of him this 30th day of Aug't 1832
James Dugan Seal

Justices fee	
Entry	12½
Sum's	12½
Sub	12½
Cer©	12
Trans	25
Cons fee	
S S	25
Return	5
& Cer©	10

I J Hadley
A Summons issued against the defendant on the above cause of debt, on the 30th day of December 1833 to G Hufford Con'st returnable on the 3rd day of January 1834 at 10 oclock A M on said day afterwards, towit, on the 3rd day of January 1834 the aforesaid Summons is returned by said Con'st as follows, towit, Served by reading the same day
Gideon Hufford Con't.
And at this time towit, on the 3rd day of January 1834 at

I do certify that the above is a true Transcript taken from my Docket of the proceedings had before Given from under my hand this the 5th day of February 1834
Noah Harding J Peace

And afterwards. to wit. on the fifteenth day of April in the year of our Lord one Thousand Eighteen hundred and thirty four, at a court began and held in the town of Danville by the Honorable the Judges aforesaid the same being the Second Judicial day of the April Term of said court in the year last aforesaid Came the plaintiff by his attorney and it appearing to the satisfaction of the court, that the writ of Scirefacias in this cause was Served on the defendant ten days before the first day of the present term of this court, the said James Dugan is thrice called but comes not and remains therein wholly undefended. And the premises being seen It is considered by the Court now here that the plaintiff have his Execution against the goods and Chattels, lands and tenements of the said defendant for the said sum of forty Seven dollars and two cents, with the sum of Eighty three cents for the interest accrued thereon making together the sum of forty Seven dollars and Eighty five five cents also the sum of one dollar & fifteen cents for the costs taxed by the Justice and also the sum of Four dollars ninety Six cents and charges in this behalf laid out and expended, and the defendant in mercy &c

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Thomas Lockhart Esquire one of the Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, of the April Term of said Court in the year of our Lord one Thousand Eight Hundred and thirty four

William S Crawford vs James Dugan } Scirefacias on Justices Transcript

Towit, on the fifth

Be it remembered that heretofore towit, on the fifth day of February in the year aforesaid William S Crawford the above entitled plaintiff, filed in the clerks office of the said Hendricks Circuit Court a Transcript of a Judgment from the docket of Noah Harding a Justice of the peace in and for said County of Hendricks which said Transcript is in the words and figures following towit State of Indiana Hendricks County

Wm S Crawford vs James Dugan The plaintiffs demand by Note Filed on the 30th day of December 1833 towit On or before the

Justices fee		twenty fifth day of December 1833 due Wm S Crawford fifty
Entry	12½	dollars for value Rec'd of him this 30th day of Aug 1832
Spen S	12½	S T Wadley
Dud	12½	
Exo	12	
Trans	25	
Cert fee		
SS	25	
Return	5	
Re Exo	10	

James Dugan Seal

A Summons issued against the defendant on the above cause of debt, on the 30th day of December 1833 to G Hufford Const returnable on the 3rd day of January 1834 at 10 oclock A M on said day afterwards, towit, on the 3rd day of January 1834 the aforesaid Summons is returned by said Const as follows, towit, Served by reading the same day Gideon Hufford Const.

And at this time towit, on the 3rd day of January 1834 at

April Term AD 1834

10 oclock the parties are thrice called, the plaintiff comes in his own proper person, but the defendant makes default. It is therefor Considered that the plaintiff recover of the defendant $50,00 Debt and 6¼ cents for damage for the detention thereof making altogether the sum of $50 06¼ together with Costs of said suit & the defendant in mercy &c Given under my hand & seal this 3rd day of January 1834 Noah Harding J.P. Seal

Execution issued to G Heffford Const. on the 4th day of January 1834 February the 3rd 1834 the aforesaid execution is now returned, Court, there is no property of the defendants found in the said county of Hendricks whereon to Levy

Gideon Heffford Const

I do certify that the above is a true Transcript taken from my docket of the proceedings had before me Given under my hand this the 5th day of February 1834

Noah Harding J Peace

And afterwards, Court, on the fifteenth day of April in the year of our Lord Eighteen hundred and thirty four, the same being the Second Judicial day of the April Term of the Hendricks Circuit began and held in Danville by the Judges aforesaid Came the plaintiff by his attorney and it appearing to the Satisfaction of the Court that the procep in this cause was duly served on the said defendant at least ten days before the first day of the present term, the said James Deegan is thrice called, but comes not and remains herein wholly undefended. and the premises being seen It is Considered by the Court that the plaintiff have execution against the goods and chattles, lands and tenements of the said defendant for the said sum of fifty dollars six and one fourth cents with Eighty Seven cents for the interest accrued thereon making fifty dollars and ninety three cents also the sum of One dollar and fifteen cents for the costs taxed by the Justice. and also the sum of four dollars and ninety Six cents for the costs and charges by him about his recovery in this behalf expended and the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson & Thomas Lockhart Esquires. Associate Judges of the Hendricks Circuit Court, of the April Term of said Court in the year of our Lord One Thousand Eight hundred and thirty four. Court,

C.W. Quinnett for the use of Isaac Harp vs Jesse Whipps } Appeal

Be it remembered that heretofore towit on the 8th Eighth day of March in the year aforesaid Robert Cooper a Justice of the peace in and for the County of Hendricks filed in the Clerks Office of the Hendricks Circuit Court. a note, plea of defence, replication and Transcript of the proceedings had before him in the above described ~~praecipe~~ entitled suit, which are in the words and figures following to wit First the Note, as follow — On or before the first day of June next I promise to pay C W Quinnett the Just and full sum

Thirty two dollars and and 74 cents with 12 and half percent interest from this date. for Value Received. of him I set my hand and seal this 27th day of December 1832 Jesse Whippo (Seal)

2nd The Defendants plea ——— Quinnett vs Whippo. we contend that the plaintiff should not have Judgment for the following reason first the demand, note or deed was only given to show. that half of the Pork had been received by me. for which we were both Jointly bound in a note to James Burnett for the full amount. Secondly I have an order order for the note from the plaintiff before the Spreing of the proces and afterwards got a receiptt from the person to whome the note was given in full Jesse Whippo

3rd Plaintiffs Replication — November 9th 1833

C.W. Quinnett for the use of Isaac Hays vs Jesse Whippo And Isaac Hays whose use the above Suit is brought, for replication to the defendants defence, Says that he ought not to be bared from having and maintaining this action aforesaid against the said defendants. for he says that he obtained said note from C.W Quinnett in discharg of certain work and labour done for the said Quinnett before that time at, Town, in the County of Hendricks, and said note was handed over to the said Isaac Hays by the said C.W Quinnett for a valuable consideration, and the said Isaac Hays that he presented said note to Jesse Whippo for payment on the day of AD. 1833 and the said Whippo acknowledged the same to be Just, and that he owed the same and would in a few days pay fifteen dollars on said note to Isaac Hays the then holder of said note, and all of said note if he could, and the said Jesse Whippo after the said note was filed in the office of Robert Cooper Esqr fraudulently obtained an order from the said Quinnett to the said Cooper for said note contrary to law, and the said Isaac Hays avers that he can and will prove the acknowledgment of the said Whippo to pay said note to him as aforesaid, he therefor prays Judgment &c

Isaac Hays Plff

4th The Transcript ——— for the use of Isaac Hays vs C.W. Quinnett action filed the 6th day of November 1833 on Note is follows Towit On or before the first day of June next I promise to pay to C.W. Quinnett the Just and full sum of thirty two dollars 74 cents with 12½ percent until paid from this date, for value Recd of him I set my hand and seal this 27th day of December 183

Justices fees	
Entry	12½
Sum	12½
venire	12½
J & Docket	25
Subp	25
3 witnesses	18
Doc	12½
Transcript	12½
Bond	25
fee for C to off	37½
Constables fees	
Sum	25
Mi	16
Return	5
Serv	25
Dett	25
Mileg	10
Returning	10

Summon issued the 5th day of November 1833 to Goodwin Taylor Constable of Liberty Township, made returnable on the 9th of this Just at 12 Oclock on said day, Said Summon was returned on the 9th day of November 1833 then come the parties and at the request of the defendant a Jury was called, Town, Jesse Richardson, Samuel Little, William Green, Jonathan Mills, Joseph Bishop, William B Harrold, C.F. Willcox, Eli Jansey, James N Pope, Frederick Lester & Drury Wells good and lawful men of Hendricks County who being duly elected and Sworn well and truely to try the cause Submitted to them between the parties aforesaid, and true Verdict to give according to evidence to the best of their Judgment and abitity, returned the following Verdict, Town, We the Jury

Consider that the defendant pay the plaintiff the said Note and interest and costs now before the this 9th of November 1833 James N Pope foreman

It it therefore considered that the plaintiff recover of the defendant the sum of thirty two Dollars twenty four cents debt, with one dollar Ninety Eight cents interest, with interest from this date untill paid, at the rate of Six percent per annum, together with costs of suit Given under my hand and seal, this 9th day of Nov 1833 Robert Cooper Justice of the peace

A True Transcript from my docket — Robert Cooper Justice of the peace

And afterwards towit on the fifteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four the same being the the Second Judicial day of the April Term of the Hendricks circuit Court. began and held in the town of Danville. by the Honorable the Judge first aforesaid Come the parties by their attorneys, and on motion of the plaintiffs this appeal is dismissed, because the papers were not filed with the clerk of this court within the time required by law It is therefore considered by that the plaintiff recover of the defendant the Sum of dollars and cents for the costs and charges in this behalf laid out and expended since the taking of the said appeal And a procedendo is awarded commanding the said Justice to proceed to final execution in the premises

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana. And Elijah Anderson & Thomas Lockhart Esquires, associate Judges of the Hendricks Circuit Court. in & for the County of Hendricks, of the April term of said Court began and held in the town of Danville in the year of Our Lord One Thousand eight hundred and thirty four. towit,

Levi Jessup }
vs } Appeal
William Johnson }

Be it remembered that heretofore, towit, on the twenty ninth day of March in the year aforesaid James Green a Justice of the within and for said County of Hendricks filed in the Clerks office of the Said Hendricks Circuit Court on behalf of the plff left in the above entitled Cause an appeal and Transcript of the proceedings had before him, which said Plea & Transcript are in the words and figures following, towit, —— First the defendants plea of defence the cause of action — for goods wears & merchandize had at sundry times

Levi Jessup vs Wm Johnson — demand $50 Before James Green Esqr on the 15th day of March 1834 at 2 Oclock P.M. And now comes the said William Johnson by CC Nave his attorney and says actio non because he says that he owes the said Jessup plff nothing in manner and form as he hath above thereof complained against him, and of this he puts himself upon the country for trial &c

2d For a second plea in this behalf he saith actio non because he saith that the said Levi Jessup plff heretofore, towit, on the 7th day of March A.D. 1834 at the County of Hendricks, took and then and there received a note of hand of and from the said William Johnson for $23,00 in full of all debts, dues and demands, which he the said Levi Jessup then and there had and held against the said William Johnson, and this

he is ready to verrify whereford he prays Judgment. William Johnson

3rd And the said defendant for a third plea in this behalf saith that prior to the Seventh day of March 1834 that he paid the said Levi Jessup in notes on A Ellis and others, and an account and money loaned to the amount of $32,75 And this he is ready to verify whereford he prays Judgment &c

William Johnson deft

The Transcript — Levi Jessup vs William Johnson, Action of debt, filed March the 15th 1834. by a change of venue from the docket of Robert Cooper Justice of the peace, Demand $19,19 This day come G Taylor Constable with a Transcript of the above case, towit, action filed March the 11th 1834 on account for Sundry merchandize bought at Sundary times and cash loned $19,19 and other papers belonging to said action And also come the plaintiff and defendant, and the defendant by his attorney demands a Jury, a venire is sued to G Taylor Constable of Liberty Township, who returned the venire with the following Jurors, towit, James Pope, Georg Kenton, Joseph Johnson William Townsand, Samuel Sittle, William Green good and lawful men of Hendricks County, who were by me duly qualified to try the cause submitted to them, returned the following verdict towit, we the Jurors find for the plaintiff his claim, towit, $15 19 with costs of Suit. William Townsand Samuel Sittle James Pope Joseph Johnson, William Green, Georg Kenton, it is therefore con=sidered that the plaintiff recover of the defendant fifteen dollars and nineteen cents, and costs of suit, and the defendant in mercy in Mercy &c this the 15th day of March 1834. James Green Seal Justice of the peace

Justices fees	12½
Entry	12½
Venire	12½
Subpoena	25
Sworn Jury	25
swearing 3 Witt	18¾
Entering on Coopers Cost & Transcript	124
Witness fee	75
Appeal Bond	25
Jurors fees - 150	25
for Coping papers -	37½
Constables fees from Coopers Dock	30
Sworn Jury	25
5 Subpoena	12½
return	5
attending Jury	12½
	4 93¾
This Trans	25
	5 18¾

Then Came the defendant and filed this Bond for an appeal to the Hendricks Circuit Court I do certify the above to be a true Transcript from my Dockett James Green Justice of the peace, this 15th day of March 1834

And afterwards, towit, on the fifteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty four, at a court holden in the Town of Danville by the Honorable the Judges aforesaid the same being the Second Judicial day of the term of the Court first aforesaid Come the parties by their attorneys and this cause is submitted to the court, and the allegations and proofs of the parties being heared and the premises Seen and inspected It is considered by the Court now here that the plaintiff recover of the defendant the sum of fifteen dollars and nineteen cents, and also the sum of Ten dollars and Sixty three cents for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c

Pleas before the Honorable Bethuel F Morris President Judg of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court in for the County of Hendricks at the April Term of said Court, began and held in the town of Danville by the Juges aforesaid, in the year of our Lord One Thousand Eight Hundred and thirty four, towit,

Elisha M Huntington
vs
Daniel C Johnson } Debt

Be it remembered that heretofore, towit, on the third day of April in the year aforesaid, the above entitled plaintiff by Fletcher his attorney filed in the Clerks office of the Hendricks Circuit Court a Declaration in the above named suit, which said Declaration is in the words and figures following, towit,

Hendricks Circuit Court, April term 1834 Elisha M Huntington plaintiff Complains of Daniel C Johnson defendant of a plea that he render unto him the sum of One Hundred dollars which he owes to and unjustly detains from him 1st Count For that whereas heretofore, towit, on the 3rd day of February in the year 1834 at the County of Hendricks and State of Indiana the said defendant made his certain writing obligatory, under his hand and seal, now to the Court here shown, bearing date the day and year aforesaid and thereby then and there promised to pay one day after the date thereof by the name and description of D. C. Johnson to the said plaintiff, by the name and description of E M Huntington the sum of One Hundred dollars and then and there delivered the said writing obligatory to the said plaintiff by means whereof the said defendant by the name and description as afo = resaid became liable to pay to the said plaintiff by the name and description as aforesaid the said sum of money in said writing obligatory Spe = cified according to the tenor and effect thereof

2d Count And And where also, on the day and year aforesaid, at the County and State aforesaid, the said defendant made his certain ~~writing~~ Promissary note in writing, bearing date the day and year aforesaid, and thereby then and there promised to pay one day after the date thereof by the name and description of D C Johnson to the said plaintiff, by the name and description of E. M. Huntington, the sum of One hundred dollars. And then and there delivered the said promissary note to the said plaintiff by means whereof the said defendant, by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid, the said sum of money in said promissary note Specified according to the tenor and effect thereof Yet the said defendant although often requested, has not as yet paid the said sum above demanded or the said several sums in Counts of this declaration mentioned or any part thereof to the said plaintiff But he to do the same has hitherto refused and still does refuse To the damage of the said plaintiff $300 and therefore he brings his suit

Fletcher for plaintiff

And afterwards, towit, on the fifteenth day of April in the year first aforesaid, the same being the second Judicial day of the term of the Court first aforesaid. held by the Judges aforesaid Come the parties by their attorneys, and the defendant Craves Oyer of the said writing Obligatory

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court in for the County of Hendricks at the April Term of said Court, began and held in the town of Danville by the Juges aforesaid, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

Elisha M Huntington
vs. } Debt
Daniel C Johnson

Be it remembered that heretofore, towit, on the third day of April in the year aforesaid, the above entitled plaintiff by Fletcher his attorney filed in the clerks office of the Hendricks Circuit Court a Declaration in the above named suit, which said Declaration is in the words and figures following, towit,

Hendricks Circuit Court, April term 1834 Elisha M Huntington plaintiff Complains of Daniel C Johnson defendant of a plea that he render unto him the sum of One hundred dollars which he owes to and unjustly detains from him 1st Count For that whereas heretofore, towit, on the 3rd day of February in the year 1834 at the County of Hendricks and State of Indiana the said defendant made his certain writing obligatory, under his hand and seal, now to the Court here shown, bearing date the day and year aforesaid and thereby then and there promised to pay one day after the date thereof by the name and description of D. C. Johnson to the said plaintiff, by the name and description of E M Huntington the sum of One hundred dollars and then and there delivered the said writing obligatory to the said plaintiff by means whereof the said defendant by the name and description as afo = resaid became liable to pay to the said plaintiff by the name and description as aforesaid the said sum of money in said writing obligatory spe = cified according to the tenor and effect thereof

2d Count And And where also, on the day and year aforesaid, at the County and State aforesaid, the said defendant made his certain ~~writing~~ Promissary note in writing, bearing date the day and year aforesaid, and thereby then and there promised to pay one day after the date thereof by the name and description of D C Johnson to the said plaintiff, by the name and description of E. M. Huntington, the sum of One hundred dollars. And then and there delivered the said promesary note to the said plaintiff by means whereof the said defendant, by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid, the said sum of money in said promesary note specified according to the tenor and effect thereof Yet the said defendant although often requested, has not as yet paid the said sum above demanded or the said several sums in counts of this declaration mentioned or any part thereof to the said plaintiff But he to do the same has hitherto refused and still does refuse To the damage of the said plaintiff $200 and therefore he brings his suit

Fletcher for plaintiff

And afterwards, towit, on the fifteenth day of April in the year first aforesaid, the same being the second day of the term of the Court first aforesaid, held by the Juges aforesaid Come the parties by their attorneys, and the defendant craves Oyer of the said writing Obligatory

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court in for the County of Hendricks at the April Term of said Court, began and held in the town of Danville by the Juges aforesaid, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

Elisha M Huntington
vs
Daniel C Johnson } Debt

Be it remembered that heretofore, towit, on the third day of April in the year aforesaid, the above entitled plaintiff by Fletcher his attorney filed in the clerks office of the Hendricks Circuit Court a Declaration in the above named suit, which said Declaration is in the words and figures following, towit,

Hendricks Circuit Court, April term 1834 Elisha M Huntington plaintiff Complains of Daniel C Johnson defendant of a plea that he render unto him the sum of One hundred dollars which he owes to and unjustly detains from him 1st Count For that whereas heretofore, towit, on the 3rd day of February in the year 1834 at the County of Hendricks and State of Indiana the said defendant made his certain writing obligatory, under his hand and seal, now to the Court here shown, bearing date the day and year aforesaid and thereby then and there promised to pay one day after the date thereof by the name and description of D. C. Johnson to the said plaintiff, by the name and description of E M Huntington the sum of One hundred dollars and then and there delivered the said writing obligatory to the said plaintiff by means whereof the said defendant by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid the said sum of money in said writing obligatory specified according to the tenor and effect thereof

2d Count And whereas also, on the day and year aforesaid, at the County and State aforesaid, the said defendant made his certain promissary note in writing, bearing date the day and year aforesaid, and thereby then and there promised to pay one day after the date thereof by the name and description of D C Johnson to the said plaintiff, by the name and description of E M Huntington, the sum of One hundred dollars. And then and there delivered the said promissary note to the said plaintiff by means whereof the said defendant, by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid, the said sum of money in said promissary note specified according to the tenor and effect thereof Yet the said defendant although often requested, has not as yet paid the said sum above demanded or the said several sums in the Counts of this declaration mentioned or any part thereof to the said plaintiff But he to do the same has hitherto refused and still does refuse To the damage of the said plaintiff $200 and therefore he brings his suit

Fletcher for plaintiff

And afterwards, towit, on the fifteenth day of April in the year first aforesaid, the same being the second day of the term of the Court first aforesaid, held by the Juges aforesaid Come the parties by their attorneys, and the defendant Craves Oyer of the said writing Obligatory

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court in for the County of Hendricks at the April Term of said Court, began and held in the town of Danville by the Juges aforesaid, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

Elisha M Huntington
vs } Debt
Daniel C Johnson

Be it remembered that heretofore, towit, on the third day of April in the year aforesaid, the above entitled plaintiff by Fletcher his attorney filed in the clerks office of the Hendricks Circuit Court a Declaration in the above named suit, which said Declaration is in the words and figures following, towit,

Hendricks Circuit Court, April term 1834 Elisha M Huntington plaintiff Complains of Daniel C Johnson defendant of a plea that he render unto him the sum of One hundred dollars which he owes to and unjustly detains from him 1st Count For that whereas heretofore, towit, on the 3rd day of February in the year 1834 at the County of Hendricks and State of Indiana the said defendant made his certain writing obligatory, under his hand and seal, now to the Court here shown, bearing date the day and year aforesaid and thereby then and there promised to pay one day after the date thereof by the name and description of D. C. Johnson to the said plaintiff, by the name and description of E M Huntington the sum of One hundred dollars and then and there delivered the said writing obligatory to the said plaintiff by means whereof the said defendant by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid the said sum of money in said writing obligatory specified according to the tenor and effect thereof

2d Count And And where also, on the day and year aforesaid, at the County and State aforesaid, the said defendant made his certain ~~writing~~ Promisary note in writing, bearing date the day and year aforesaid, and thereby then and there promised to pay one day after the date thereof by the name and description of D C Johnson to the said plaintiff, by the name and description of E. M. Huntington, the sum of One hundred dollars. And then and there delivered the said promisary note to the said plaintiff by means whereof the said defendant, by the name and description as aforesaid became liable to pay to the said plaintiff by the name and description as aforesaid, the said sum of money in said promisary note specified according to the tenor and effect thereof Yet the said defendant although often requested, has not as yet paid the said sum above demanded or the said several sums in counts of this declaration mentioned or any part thereof to the said plaintiff But he to do the same has hitherto refused and still does refuse To the damage of the said plaintiff $300 and therefore he brings his suit

Fletcher for plaintiff

And afterwards, towit, on the fifteenth day of April in the year first aforesaid, the same being the second day of the term of the Court first aforesaid, held by the Judges aforesaid Come the parties by their attorneys, and the defendant Craves Oyer of the said writing Obligatory

and it is read to him in the words and figures following, towit, $100
One day after date for value rec^d I promise to pay E M Huntington or bearer the sum of One Hundred dollars - Feby 3. 1834 D. C. Johnson (Seal)
which being heared, the said defendant files his demurrer to the said declara=
=tion of the plaintiff, which is in the words and figures following, to wit,
D C Johnson ads E M Huntington, Hendricks Circuit Court, April term 1834 And said Deft Johnson by C C Nave & John H Scott his attorneys Comes & Craves Oyer of the said supposed writing obligatory in the first Count of said plaintiffs declaration mentioned, & it is read to him in the words & figures follo=wing, towit, $1,00 One day after date for value rec^d I promise to pay E M Huntington or bearer the sum of One Hundred dollars - Feby 3. 1834 - D C, Johnson (Seal)
Which being read & heared said Deft says that said plaintiff his action aforesaid against him in this behalf to have & maintain ought not, because he says that said declaration, & the matters therein Contained, in manner & form as therein set forth are not sufficient in law for said plaintiff to have or maintain said action &c & that he is not bound by law to answer the same, & this he is ready to verify; wherefore he prays Judgment &c And for special cause of Demurrer to said declaration & to said two Counts therein Contained Severally said defendant sets down & assigns the following (viz) The instrument given deft set out on Oyer is substantially & materially different & variant from that described in the 1st Count of said declaration. 2d Said declaration deserebes two Several & distinct debts of $100 each, amounting to $200, whereas said declaration com=plains of Deft of a plea that he render to plaintiff the sum of one hundred dollars, only 3d Said declaration does not shew that defendant was or is in Custody &c, or otherwise notified or Summoned to answer &c. 4th Said declar=ation is otherwise defective, double, informal, uncertain & insufficient &c
Nave Atty for Plff
and the plaintiff files his Joinder thereto, which is as follows, towit,
And the said plaintiff comes & says that the said declaration & the matters & things therein contained are Sufficent for the said plaintiff to have & maintain his action aforesaid thereof against the said defendant, & this he is ready to verify wherefore he prays Judgment &c. Fletcher for Plff
And the premises being seen it is considered by the court here that the declaration of the plaintiff is Sufficent in law for the plaintiff to Sustain his action against the defendant And the defendant making no other defence It is considered by the court here that the plaintiff re=cover of the defendant the sum of One hundred dollars in debt and one dollar and Eighteen cents in damages for the detention thereof, ma=king together the Sum of One hundred and One dollars and Eighteen cents and also the Sum of dollars and cents for his Costs and Charges herein laid out and expended, and the defendant in mercy &c

Pleas before the Honorable Bethuel F. Morris Presidant Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires aprociate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court began and held in the Town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four Towit,

John C Shannon
vs
Thomas J Walker
} Appeal

Be it remembered that heretofore, to wit, on the fourth day of April in the year of our Lord One Thousand Eight hundred and thirty four Noah Harding a Justice of the peace in and for the said County of Hendricks filed in the Clerks office of said Hendricks Circuit Court, a note plea, and Transcript of the proceedings had before him in the above entitled Cause, which are in the words and figures following, towit, First the note ——— On or before the fifteenth of July next, I promise to pay to John C Shannon Twenty five dollars and Sixty cents which may be discharged in Cattle or work at Cash price this 10th of Oct 1831

Thomas J Walker Seal

Attest P. S. Dicken.

On the back of said notes are the Credits, towit. — June 24th 1833 Received on the within Twelve dollars and fifty cts November 2d 1833 Received on the within Ten dollars and fifty cents

The Defendants Plea ——— John C Shannon vs Thomas J Walker action of debt, by note $1.60 And now comes Thomas J Walker in his own proper person and defends the wrong and injury when, where &c and for plea says that he does not owe the plaintiff any thing in manner and form as he hath declaried against, because he says that before the note became due to the plaintiffs, he did offer and tender to do work for the said plaintiff, at Towit, in the County of Hendricks, and the said pff refused to receive said work, and this defendant is now ready and willing to do the work, according to his agreement in said note Specified and has always been ready, and is yet ready &c And of this he puts himself upon the Justice for trial

Thos J. Walker

The Transcript ——— John C Shannon vs Thomas J Walker. The Plaintiffs demand by note filed on the 29th day of March 1834, towit, on or before the 15th of July next 1832 I promise to pay John C Shannon twenty four dollars and Sixty cents, which may be discharged in in Cattle or work at Cash price this 10th of Oct 1831

Attest P. S. Dicken

Thomas J Walker Seal

Justices fees	
Entry —	12½
Spec s	12½
Spec Sub	25
s 1 Wit	6¼
treal & Entry	25
Appl Bond	25
Transcript	25
Cons fees	
S—S	25
Mel	24
Return	5
S Sub	12½
Mil	24
Ret	5

June the 24th 1833 Recd on the within Twelve dollars and fifty Cents — November 2d 1833 received on the within on the within Ten dollars and fifty cents — A Summons issued against the defendant on the 29th of March 1834 to Gideon Hufford Const returnable on the 4th day of April 1834 at 12 oclock on said day

A Subpoena is issued on the 3d day of April 1834 for 2 witnesses for the defendant to Gideon Hufford Const returnable as aforesaid Afterwards, towit, on the 4th day of April as aforesaid

Pleas before the Honorable Bethuel F. Morris Presidant Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court began and held in the Town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four, Town,

John C Shannon
vs
Thomas J Walker
} Appeal

Be it remembered that heretofore, to wit, on the fourth day of April in the year of our Lord One Thousand Eight Hundred and thirty four Noah Harding a Justice of the peace in and for the said County of Hendricks filed in the Clerks office of said Hendricks Circuit Court, a note plea, and Transcript of the proceedings had before him in the above entitled Cause, which are in the words and figures following, to wit, First the note ——— On or before the fifteenth of July next, 1832 I promise to pay to John C Shannon Twenty five dollars and Sixty cents which may be discharged in Cattle or work at Cash price this 10th of Oct 1831

Thomas J Walker [Seal]

Attest P. S. Dicken.

On the back of said note are the Credits, to wit. — June 21st 1833 Received on the within Twelve dollars and fifty cts November the 2d 1833 Received on the within Ten dollars and fifty cents

The Defendants Plea ——— John C Shannon vs Thomas J Walker action of debt, by note $1.60 And now comes Thomas J Walker in his own proper person and defends the wrong and injury when, where &c and for plea says that he does not owe the plaintiff any thing in manner and form as he hath declared against, because he says that before the note became due to the plaintiffs, he did offer and tender to do work for the said plaintiff, at Town, in the County of Hendricks, and the said plff refused to receive said work, and this defendant is now ready and willing to do the work, according to his agreement in said note Specified and has always been ready, and is yet ready &c And of this he puts himself upon the Justice for trial

Thos J Walker

The Transcript ——— John C Shannon vs Thomas J Walker. The Plaintiffs demand by note filed on the 29th day of March 1834, Town, on or before the 15th of July next 1832 I promise to pay John C Shannon twenty four dollars and Sixty cents, which may be discharged in Cattle or work at Cash price this 10th of Oct 1831

Attest P. S. Dicken

Thomas J Walker [Seal]

June the 21st 1833 Recd on the within Twelve dollars and fifty cents — November 2d 1833 received on the within on the within Ten dollars and fifty cents — A Summons issued against the defendant on the 29th of March 1834 to Gideon Hufford Const returnable on the 1st day of April 1834 at 12 oclock on said day

A Subpoena is issued on the 3d day of April 1834 for 2 witnesses for the defendant to Gideon Hufford Const returnable as aforesaid afterwards, to wit, on the 4th day of April as aforesaid

Justices fees		
Entry —	1	2½
Spea S	1	2½
Spea Sub	2	5
5 Wit		6¼
treal & Judg	1	25
appl Bond		25
Transcript		25
Const fees		
S — S		25
Mil		24
Return		5
S Sub	1	2½
Mil		4
Ret		5

Said Subpoena is returned Served on Shannon by reading Duett not found Said Summon is also returned, at this time, towit, Served April 2. 1834 by reading returned by agreement of the defendant. Gideon Hefford Constable

And at this time the parties personally appear. and go into a trial and after the proofs and allegations are fully heard It is considered that the Plaintiff recover of the defendant the sum of $1,60 Cents together with $2,84 Cents damage for the detention thereof, making together the sum of $4,44 Cents also the costs of this suit herein expended in this behalf and the defendant in mercy &c Given under my hand and seal, this the 14th day of April 1834 Noah Harding J.P. (Seal)

I do certify that the above is a true Transcript from my docket of the proceedings in the above case, had before me Given under my hand and seal this the 14th day of April 1834 Noah Harding J.P. (Seal)

And afterwards, towit, on the fifteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, the same being Second Judicial day of April Term of the Hendendricks Circuit Court began and held in the town of Danville by the honorable the Judges first aforesaid Came the parties and this cause is submitted to the court without the intervention of a Jury and the allegations and proofs of the part being heard and the premises being seen It is considered by the Court now here that the plaintiff recover of the defendant the sum of One dollar and Sixty cents and also the sum of dollars and cents for his costs and charges by him about his recovery in this behalf laid out and expended, and the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court, within and for said County of Hendricks, of the April Term of said court, began and held in the town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four, towit,

Wright Smith &
John T. Martin
vs
John S. Case } Assumsit

Be it remembered that heretofore, towit, on the fifteenth day of April in the year aforesaid, before the Honorable the Judges aforesaid, the same being the Second Judicial day of the aforesaid term, of said Court Come the plaintiffs by Fletcher their attorney and file their declaration in this behalf, which said Declaration is in the words and figures following — State of Indiana, Hendricks Circuit Court April term 1834 Wright Smith and John T. Martin, partners trading under the firm, name and Style of Wright Smith & Co plaintiffs, Complain of John S. Case defendant of a plea of trespass on the case upon promises For that whereas heretofore, towit, on the fifth day of January in the year of our Lord One Thousand Eight Hundred and thirty two at Cincinnati, towit, at the County of Hendricks, the said defendant by the name and description of

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J. S. Case made his certain promesary note in writing bearing date the day and year aforesaid. whereby Ninety days after the date thereof, the said defendant by the name and description as aforesaid promised to pay to the order of the said plaintiffs by the name and description of Wright Smith & Co. at the office of the Bank of the United States at Cincinnati the Sum of Eighty eight dollars and Sixty cents for values received, and then and there delivered the said promesary note to the said plaintiffs. and the said plaintiffs aver that afterwards, when the said promesary note became due and payable according to the tenor and effect, thereof, to wit, on the day of in the year aforesaid, at the office of the Bank of the United States at Cincinnati. to wit. at the County aforesaid, the said promesary note was duly presented and shown to and at the office of the Bank of the United States at Cincinnati aforesaid for the payment thereof and payment of the said Sum of money therein Specified, was then and there duly required according to the tenor and effect of the said promesary note, but that neither the defendant, nor any other person or persons on his behalf did, or would, at the said time, the said promesary note was so presented and shown for payment thereof, as aforesaid, or at any time before or afterwards, pay the said Sum of money Specified therein, or any part thereof, but wholly neglected and refused so to do To the damage of the said plaintiffs Hundred dollars Wherefore they Sue. And the said Fletcher also files a warrant of attorney for and on behalfs of the said John S Case in the words and figures following Know all men by these presents that I John S Case of the County of Hendricks and State of Indiana do hereby authorize and appoint Calvin Fletcher or any other person attorney practising law in the Circuit Court of Hendricks County on the first or any Subsequent day of the ensuing term of said Court to be holden at Danville in April next, for me, and in my name to confess a Judgment in favour of Wright Smith & Co Citizens of the State of Ohio for the Sum of Eighty Eight dollars and Sixty Cents by me given to the said Wright Smith & Co. of which said note, the following is a correct copy $88,66 Cincinnati January 5th 1832

Ninety days after date I promise to pay to the order of Wright Smith & Co. Eighty Eight 66/100 dollars at the office of the Bank of the United States at Cincinnati for value rec'd. Signed J. S. Case

And the said Hendricks Circuit are hereby authorized to enter up Judgment against me whose name is hereunto Subscribed for the amount of the above note, and all costs that shall have therein accrued, hereby waiving all error for the want of a writ Given under my hand and Seal, this 21st day of February 1834 John S Case Seal

And the said Fletcher as attorney in fact for the said defendant, now waves all error for want of a writ in this behalf, and enters an appearance for the said defendant to the action of the plaintiffs, and the said he cannot gainsay or deny but that the plaintiffs have Sustained damages by occasion of the premises to the amount Ninety nine dollars and twenty five cents, It is therefore Considered by the Court now here that the plaintiff recover of the defendant the said Sum of Ninety nine dollars and twenty five cents for their damages aforesaid And also the Sum of dollars and cents for their costs and charges by them about their recovery in this behalf laid out and expended and the defendant in mercy &c,

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at the April Term of said Court, began and held in the town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four, towit,

Polly Kenton
vs
William H Kenton & Thomas Irons } In Chancery for Alimony and divorce

Be it remembered that heretofore, towit, on the thirty first day of January in the year of our Lord One Thousand Eight hundred and thirty two Polly Kenton the above Petitioner by Fletcher & Pegg her Solicitors filed in the Clerks Office of the Hendricks Circuit Court, the following Bill of Complaint towit, To the Honorable the Judges of the Hendricks Circuit Court, in Chancery sitting, Humbly complaining Sheweth unto your Honors, That your Oratrix Polly Kenton intermarried with one William H Kenton in the Month of February 1818 in Washington County in this State of Indiana, and after several moves to various parts of the said State, settled in Hendricks county in the State of Indiana in the spring of ~~1822~~ 1822 where they have resided ever since untill the month of October 1831 when the said Kenton deserted your oratrix in the most Wanton, cruel and provoked manner, And your oratrix has never seen nor heard from him since except from information, and does not now know where he is and from the Curious manner in which he deserted her and his conduct and actions, your oratrix does not know that he ever intends to return, At the time he went off he took with him Somewhere between Six and Eight hundred dollars in Cash, and left his business in a very unsettled State, and made no Substantial provision for your oratrix. Your Oratrix prays that the said William H Kenton may be made a defendant to this bill, At the time the said defendant William H Kenton left your Oratrix he was accompanied by one Samuel Wick to Martinsville in Morgan County, from whence the said Wick returned with a pretended power of attorney in two or three days after the departure of the said William H Kenton. The said Wick immediately after his return took possession of all the goods of the said Kenton, and all his Books, notes and papers of the said Kenton, who had been merchandizing, and still had a small Stock of goods on hand, all of which the said Wick took possession of, and turned your oratrix out of the house belonging to the said Kenton in the town of Belville The said Wick then went on under the said pretended Power of attorney and Sold all the goods on hand and Closed accounts, and took notes and transfered notes and paid some of said Kentons debts, and wasted his property to a considerable amount, unknown to your oratrix as it regards the amount And stayed four or six weeks after the departure your oratrix has discovered Since the said Wick went of and left the County That the said defendant Kenton still owes debts considerable, the following of which has come to her Knowledge, towit, to William Dutton of Jefferson County Indiana $494, 49. to Samuel Moore of Morgan County between $60 & $70 to James Long of the same $11,50 for which there is a Judgment against his Security to James Bradshaw $6, to George Kenton Sen. of Hendricks County $2,00. to Robert Cooper of the same $27,70, to James Crawford of the same $4,12½ and

Some other Small claims that your oratrix has not yet obtained an accurate knowledge of, amounting in the whole to upwards of $800, all of which your oratrix expects from the best information he justly ows And since the settlements and wast of property under the pretended power of attorney There remains due to the said Kenton as near as your oratrix can estimate it about $3,50 in Small Scattered accounts from 12½ cents up to $50 a great many of which are disputed and a number of bad debts that cannot be recovered, And one Thomas Irons to whom he sold the South fraction of Section no 15 Town no 14 North of Range no 1 East. and 9 Acres & 80/100 of an acre lying due West of said fraction, owes him a balance on said land of $200 for which he was to give him $500 Three hundred of which he paid on the 20th day of May 1837 which said land was sold to him, and give his two Several notes for $100 each, the first due 20th May 1832 at which time the said Kenton is bound to make deed And the other in 20th May 1833 In this tract of land your oratrix has a Dower right The two notes for $100 each was transfered by said Nick under the pretended power of attorney to the said George Kenton Sen. and further of the said had full knowledge at the time that the said Irons had no deed, and that your Oratrix had not relinquished her dower right in said land The whole Sums added together makes $550 due to said defendant Kenton The said defendant Kenton also owns in conjunction with one Obadiah Harris and one Homer Johnson, and undevided third of the East ½ of the SE quarter of Section No 2 in Town 14 north of Range one West on which is situate the little town of Belvilla, and one third of the unsold Small Lots, and the House and Lot occupied by your oratrix which she again took possession of after the desertion of the said Nick who forcably turned her out of it, which property in said town may be estimated from $500 $800 And the said Harris & Johnson have an application now pending before the Hendricks Circuit Court for a division of the Same. Your oratrix has on hand a Small quantity of house hold and Kitchen furniture Value not known And your oratrix has now fairly stated all she knows of the debts the said Kenton owes and to whome, and the property & Debts owned by & due to him. Your oratrix expresly charges that when She intermarried with said Kenton in 1818 they were very poor as new Beginners generally are, and the most of the property they had accumulated was made by her own industry, prudence and good man=agement. Your oratrix expressly charges. That She lived with said defen-dant Kenton for between 13 & 14 years and always conducted herself as a prudent, industrious, faithful virtuous wife Should, and Strove by every means in her power to make him happy. And though they were both so as they never have had any children to give them trouble, and that desertion of her was wanton and cruel, and without a cause. Your Oratrix expressly charges that all the proceedings of the said Nick in premises were unathorized and void, as he injured the property of said Kenton Several $100 by his fraudulent transactions with the same. And that She is Solely unprovided for by the said Kenton. Now as your ora-trix is remediless at law and relievable only in the hands of the Chan-cellor the proper tribunal to which destressed females have to apply for redief in her destitute situation. May it please Your honors in tenar consideration of the premises to grant unto your Oratrix the most gracious writ of Subpoena

18 20

Some other Small claims that your oratrix has not yet obtained an accurate knowledge of, amounting in the whole to upwards of $800, all of which claims your oratrix expects from the best information he justly owes And since the settlements and wast of property under the pretended power of attorney there remains due to the said Kenton as near as your oratrix can estimate it about $3,50 in Small Scattered accounts from 12½ cents up to $50 a great many of which are suspected and a number of bad debts that cannot be recovered, And one Thomas Irons to whom he sold the South fraction of Section No 15 Town No 14 North of Range no 1 East. And 9 Acres & 80/100 of an acre lying due West of said fraction, owes him a balance on said land of $200 for which he was to give him $500 Three Hundred of which he paid on the 20th day of May 1837 which said land was sold to him, and give his two Several notes for $100 each. the first due 20th May 1838 at which time the said Kenton is bound to make deed And the other in 20th May 1839 In this tract of land your oratrix has a Dower right The two notes for $100 each was transfered by said Wisk under the pretended power of attorney to the said George Kenton Sen. and further of the said had full knowledge at the time that the said Irons had no deed, And that your Oratrix had not relinquished her dower right in said land The whole Sums added together makes $500 due to said defendant Kenton The said defendant Kenton also owns in conjunction with one Obadiah Harris and one Homer Johnson, and undivided third of the East ½ of the SE quarter of Section No 2 in town 14 North of Range one West on which is situate the little town of Deloilla, and one third of the unsold small Lots, and the House and Lot occupied by your oratrix which She again took possession of after the desertion of the said Wisk who forcably turned her out of it, which property in said town may be estimated from $500 $800 And the said Harris & Johnson have an application now pending before the Hendricks Circuit Court for a division of the Sand. Your oratrix has on hand a Small quantity of House hold and Kitchen furniture Value not known And your oratrix has now fairly stated all she knows of the debts the said Kenton owes and to whome, and the property & Debts owned by & due to him. Your oratrix expressly charges that when She intermarried with said Kenton in 1818 they were very poor as new Beginners generally are, and the most of the property they had accumulated was made by her own industry, prudence and good management. Your oratrix expressly charges. That she lived with said defendant Kenton for between 18 & 19 years and always conducted herself as a prudent, industrious, faithful virtuous wife should, and strove by every means in her power to make him happy. And though they were both so as they never have had any children to give them trouble, and that desertion of her was wanton and cruel, and without a cause. Your oratrix expressly charges that all the proceedings of the said Wisk in premises were unathorized and void, as he injured the property of said Kenton Several $100 by his fraudulent transactions with the Sand. And that She is Solely unprovided for by the said Kenton. Now as your Oratrix is remediless at law and relievable only in the Hands of the Chancellor the proper tribunal to which destitute females have to apply for redief in her destitute situation. May it please your honors in tenar consideration of the premises to grant unto your Oratrix the most gracious writ of Subpoena

compelling the said defendant William H. Kenton true and perfect answers to make on his corporal to all and singular the allegations Contained in this Bill. And Your Oratrix prays that the said Thomas Irons may also be made a defendant to this bill and compelled to answer as to the particulars of the said purchase from the said William H. Kenton of the said tract of Land. How much is due, and what he give for it, and how and when the same was paid and is payable — And may it please Your Honors to appoint some person as a trustee to take posession of the personal effects, rights and credits of the said William H Kenton. and collect what money is due to him and to pay off his debts with the same. which your Oratrix has been attempting to do as far as she could, which was but little as the Books and papers were taken out of her posession. after the desertation of said Wick and kept out by one Thomas Kenton which kept her from doing any thing in the premises, And may it please Your Honors to decree that before she surrenders her dower right that the money due from said Thomas Irons may be paid to a trustee for the use and benefit of your oratrix And that the value of her dower in the Belville part of land after the same is divided, may also be decreed to Your oratrix in the same way. And that your Honors will vest the title in a trus=tee for that purpose. And should it be sufficient to pay the debts with a sale of a portion of the Belville property - may it please Your Honors to decree the title of the residue to a trustee for her benefit, and maintainance as ali=mony seperate and apart from the defendant Kenton who has deserted her and made no kind of provesion for her although he took off with him between 6 and $800 in cash. And it is the wish and desire of your oratrix to pay all his just debts out of his property, which has been much wasted by the various hands through which it has passed, and since to herself a small pittance to aid in maintaining her as she is a sickly woman. And Grant unto Your oratrix Such other and further relief as to Equity belongs & as the nature of her case and seteration may require. And Your Oratrix as in duty bound ever will pray &c

Polly Kenton. Complainant, By Fletcher & Gregg her Solisetors

And afterwords towit on the Seventeeth day of April in the year of Our Lord One Thousand Eight Hundred and thirty two. at a Term of the Hendricks Circuit Court began and held in the town of Danville by the Honorable the Jud=ges aforesaid. the same being the second Judicial day of said Term, Come the complainant by her Solisetors. and filed her amended Bill herein praying for a Divorce. Which said amended Bill is in the words and figures following towit, — The amended bill of Polly Kenton to a Bill in Chancery. exhibited by her against William H Kenton and Thomas Irons in the Hendricks Circuit Court

Your Oratrix would further represent to your Honors. That since her original Bill was filed She has obtained two letters which the said William H. Kenton has wrote back since he absconded. that has fully satisfied her that said Kenton has abandoned her forever. — The first bearing date the 17th day of October 1831 at Louisville Kentucky, and directed to Samuel Wick The second bearing date the 17th January 1832 at Padrea Kentucky directed to her father William Pope, in both of which letters he avows his intention never to return to your oratrix. for which reason Your Oratrix prays that the Bands of matrimony heretofore subsisting betw=een her and the said Kenton may be forever dessolved and held for naught. Your oratrix espressly charges that the said Kenton left debts to the amount of between 8 and 9 Hundred dollars, as Your Oratrix has since discovered some other small Debts which said

Kenton owed in addition to those set out in her original Bill. That a much larger portion of the Claims Due on said Kentons Books willbe lost than she then expected. She has collected and paid over on said debts near $150 which she is ready to report to this Honorable Court when ever called on for that purpose, as she has taken receipts, and taken up the notes of the said Kenton in every case — And is still willing and desi= rous to pay and take up all Just demands against him. The two attach= principal of which is the debt of $496,77 due to William Dutton of Madison Indiana, and one of $200 due to the father of the said Kenton, together with some other Small Claims unpaid, And that the $200 dollars due from Irons payable May 1832 and May 1833 and which is ordered to be brought in for the directions of your Honors And to secure the Dower right of your oratrix, but which your Oratrix is willing and desirous to have applied to the payments of the debts provided the same can be secured to her in the Belvill property

The amount of unsettled Debts which are Yet unsecured may probably amount to $200 of which one half may probably be lost, so that the whole amount to be realized and applied to the payment of said Kentons Just debts, will not probable exceed $350 dollars which added to the $200 Dollars due from Irons will amount to $550 which leave probable more than $300 dollars to be made by Sale of the Belvill property, which will take a large part of it, if sold for ready money Your Oratrix prays she may be fully empowered to settle and adjust the unsettled business of said Kenton which she is ready to give Security to perform and account to this court for so far as any thing can be collected for that purpose, in any manner this Honorable Court may require. As your Oratrix is deeply interested in the adjusment of said Claims against said Kentons as it is the only remedy left to secure any thing for her future support Your Oratrix prays Your Honors to give her the aid of this Honorable Court for that Laudable purpose, and give unto her such other and further relief as to Equity belongs. And your Oratrix will ever pray &c

Polly Kenton Complainant By Fletcher & Gregg her Solicit

And on motion of the Complainant by her Solicitor, and the pre= ises being seen and inspected by the Court It is ordered by the Court That George W Pope and Harvey Gregg be appointed Trustees to settle up the unsettled accounts of said Kentons and collect all monies due to him by note or Book account or otherwise for the benefit of his creditors for which purpose they are fully empowered by the Court, And that the said Trustees employ the proceeds so collected to the payment of said Kentons Just Debts, and for the reasonable support of the Complainant, And that they make report thereof, of their proceedings in the premises to the next term of this Court, And thereupon the said George W Pope and Harvey Gregg entered into a bond in the penal sum of three hundred dollars with John Hanna as their Security, Condicionde for the faithful performance of their trust, which is approved of by the Court

And it upon affidavit filed, and it appearing to the satisfaction of the Court that the said William H Kenton is not a resedent of the State of Indiana It is ordered by the Court, That notice of the

pendency of the said Original Bill for alimony and the amended bill for a Divorce be published in the Indiana Journal a Weekly News paper published in Indianapolis be made for three weeks successively notifying the said William H Henton that unless he be and appear before the Honorable the Judges of the Hendricks Circuit Court on or before the first day of their next October Term, and answer the said Bill and amendment, and the matters and things contained therein, or the same will be heard in his absence & Decreed accordingly

And afterwards, towit, on the Eighteenth day of April in the year of our Lord one Thousand Eight hundred and thirty two. the same being the third Judicial day of the term last aforesaid before the the Judges aforesaid Came the defendant Thomas Irons by his Solicitor and filed his answer and Cross Bill herein making the said William H Henton his Codefendant & Defendant to his said Cross Bill which said answer & Cross Bill are in the words and figures following, towit, The Seperate answer of Thomas Irons to a Bill in Chancery and amendment thereto Exhibited against him and William H Henton in the Hendricks Circuit Court by Polly Henton, wife of the said William H Henton The defendant saving and reserving to himself all and all manner of Benefit of Exception that may be taken to his his answer. Answereth and saith - That true it is he made the purchaise as set foarth in the complainants Bill from his Codefendant William H Henton on the 21st day of May 1831 and paid him $300 down as set forth in the Complainants Bill, and Executed his notes for $200 as there stated, and took the said defendants Bond for a title, which is herewith filed and prayed to be made a part of this his answer, which said Bond is in the words and figures following, towit, Know all men by these presents that I Wm H Henton of the County of Hendricks and State of Indiana and held and firmly bound unto Thomas Irons of the County & State aforesaid in the penal Sum of One Thousand dollars lawful money of the State of Indiana, the true and faithful payment of which I bind myself my heirs, executors & administrators firmly by these presents In Testimony whereof I have hereunto set my hand and caused to be affixed my Seal this 21st of May in the year of our Lord One Thousand Eight Hundred and thirty one (Seal)

The condition of the above Obligation is such that if the above bounden Wm H Henton do make or cause to be made unto the said Thomas Irons a Deed in fee simple to the following tract of land, to wit, it being the South fraction of the North East quarter of Section No 5 in Township No 14 North, of Range No 1 East, and also to commence at the North West corner of the above described tract and run West 19 30/100 Rods to a Stake thence South Eighty rods to a Stake, thence East 19 30/100 rods to a Stake, thence North to the place of begining, So soon as the abovd named Thomas Irons shall pay the above named W. H. Henton One Hundred Dollars which the said Hentons holds the said Irons's note for, which is due the first day of May 1833 then the above obligation to be void and of none effect, otherwise to remain in full force and virtue, Signed and Sealed the day and date first above written And delivered in the presence of

W. H. Henton

Harden Osborn

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And afterwards, towit, on the Eighteenth day of April in the year of our Lord one Thousand Eight hundred and thirty two. the same being the third Judicial day of the term last aforesaid before the the Judges aforesaid Came the defendant Thomas Irons by his Solicitor and filed his answer and cross Bill herein making the said William H Henton his Codefendant a Defendant to his said Cross Bill which said answer & Cross Bill are in the words and figures following, towit, The Seperate answer of Thomas Irons to a Bill in Chancery and amendment thereto Exhibited against him and William H Henton in the Hendricks Circuit Court by Polly Henton, wife of the said William H Henton The defendant saving and reserving to himself all and all manner of Benefit of Exception that may be taken to this his answer. Answereth and saith - That true it is he made the purchaise as set fourth in the Complainants Bill from his Codefendant William H Henton on the 21st day of May 1831 and paid him $300 down as Set forth in the Complainants Bill, and Executed his notes for $200 as there stated, and took the said defendants Bond for a title. which is herewith filed and prayed to be made a part of this his answer. which said Bond is in the words and figures following, towit, Know all men by these presents that I Wm H Henton of the County of Hendricks and State of Indiana and held and firmly bound unto Thomas Irons of the County & State aforesaid in the penal Sum of One Thousand dollars lawful Money of the State of Indiana, the true and faithful payment of which I bind myself my heirs, executors & administrators firmly by these presents In Testimony whereof I have hereunto set my hand and caused to be affixed my Seal this 21st of May in the year of our Lord One Thousand Eight Hundred and thirty one (Seal)

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And afterwards, towit, on the Eighteenth day of April in the year of our Lord one Thousand Eight Hundred and thirty two. the same being the third Judicial day of the term last aforesaid before the the Judges aforesaid Came the defendant Thomas Irons by his Solicitor and filed his answer and Cross Bill herein making the said William H Henton his Codefendant a Defendant to his said Cross Bill Which said answer & Cross Bill are in the words and figures following, towit, The Seperate answer of Thomas Irons to a Bill in Chancery and amendment thereto Exhibited against him and William H Henton in the Hendricks Circuit Court by Polly Henton, wife of the said William H Henton The defendant saving and reserving to himself all and all manner of Benefit of Exception that may be taken to this his answer. Answereth and saith - That true it is he made the purchaise as set fourth in the complainants Bill from his Codefendant William H Henton on the 21st day of May 1831 and paid him $300 down as set forth in the Complainants Bill, and Executed his notes for $200 as there stated, and took the said defendants Bond for a title, which is herewith filed and prayed to be made a part of this his answer, which said Bond is in the words and figures following, towit, Know all men by these presents that I Wm H Henton of the County of Hendricks and State of Indiana am held and firmly bound unto Thomas Irons of the County & State aforesaid in the penal Sum of One Thousand dollars lawful Money of the State of Indiana, the true and faithful payment of which I bind myself my heirs, executors & administrators firmly by these presents In Testimony whereof I have hereunto set my hand and caused to be affixed my Seal this 21st of May in the year of our Lord One Thousand Eight Hundred and thirty one. Seal

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W. H. Henton

Harden Osborn

He admits the defendant William H Henton has left the country under Circumstances that would Warrant a Belief he will never return

He admits the dower Interest of the Complainant in said land, and that he has no deed for the same, and that he is ready to pay the $200 When ever he can procure a conveyance according to his bond, and asks for nothing but a Sure Title This defendant by way of Cross Bill against the said William H. Henton Expressly Charges that the said Henton has abandonded his family, and left his financial affairs in a very unsettled, distracted State, and that he is in Danger of getting into a Difficulty as he fears will apeared from the manner the defendant has left the Country. he never intends to return again So that this defendant will be unable to procure a Deed for said land

This defendant Expressly Charges that the said Complainant Polly Henton is willing to Surrender her Dower provided She can be made Secure in the value of it in money This defendant is willing to pay into this Court, under its direction the said Sum of two hundred dollars So Soon as he can be made Secure in said land Wherefore prays the Court to grant him process against the said Henton compelling him true and perfect answers to make to this his Bill of Complaint on his corporial Oath, And in case of his failing so to do so to appoint a Commissioner to convey the said land to him. And make such Disposition of the $200 and such Order and Decree in the premises as will Bar all Claim of the said Henton to said Land, and Bar the Dower of the said Complainant to the same And for this he will ever pray &c Thomas Irons

By H Gregg Solicitor

Hendricks Circuit Court April Term 1832 Personally appeared in Open Court Thomas Irons the defendant and made Oath that the Statements in the foregoing Answer and Cross Bill so far as he states from his own Knowledge are true, And so far as he states from information of others he believes to be true. Sworn to in Open Court this 18th day of April 1832 S.T. Hadley 6766

And it appearing to the Satisfaction of the Court from the said Cross Bill that the said William H Henton who is made defendant thereto, is a non Resident of the State of Indiana It is Ordered by the Court that notice of the pendency of said Cross Bill be published for three weeks successively in the Indiana Journal a Weekly Newspaper published at Indianapolis, that unless he be and appear before the Honorable the Judges of the Hendricks Circuit Court on or before the first day of their next October term, and answer the said Cross Bill, the same will be taken as Confessed against him and decreed in his absence. And further proceedings therein are Continued untill the next Term And afterwards, towit, on the Sixteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty two, at a Term of the said Hendricks Circuit Court began and held in the town of Danville by the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the said Hendricks Circuit Court, Come the complainant Irons by his Solicitor, and make and files proof of Publication herein at least Sixty days before the first day of the present term of this Court for three weeks Successively according to law, and the said William H Henton having failed to attend appear, and the Court now being

He admits the defendant William H Kenton has left the country under Circumstances that would Warrant a Belief he will never return He admits the dower Interest of the Complainant in said land, and that he has no deed for the same, and that he is ready to pay the $200 When ever he can procure a conveyance according to his bond, and asks for nothing but a Good Title This defendant by way of Cross Bill against the said William H. Kenton Expressly charges that the said Kenton has abandoned his family, and left his financial affairs in a very unsettled, distracted State, and that he is in Danger of getting into a Difficulty as he fears will appeared from the manner the defendant has left the Country. he never intends to return again So that this defendant will be unable to procure a Deed for said land This defendant Expressly Charges that the said Complainant Polly Kenton is willing to Surrender her Dower provided She can be made Secure in the value of it in money This defendant is willing to pay into this Court, under its direction the said Sum of two hundred dollars So Soon as he can be made Secure in said land He therefore prays the Court to grant him process against the said Kenton compelling him true and perfect answers to make to this his Bill of Complaint on his corporial Oath, And in Case of his failing so to do so to appoint a Commissioner to Convey the said land to him. And make such Disposition of the $200 and such Order and Decree in the premises as will Bar all Claim of the said Kenton to said Land, and Bar the Dower of the said Complainant to the same And for this he will ever pray &c Thomas Irons

By H Gregg Solicitor

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And it appearing to the Satisfaction of the Court from the said Cross Bill that the said William H Kenton who is made defendant thereto, is a non Resident of the State of Indiana It is Ordered by the Court that notice of the pendency of said Cross Bill be published for three weeks Successively in the Indiana Journal a Weekly Newspaper published at Indianapolis, that unless he be and appear before the Honorable the Judges of the Hendricks Circuit Court on or before the first day of their next October term, and answer the said Cross Bill, the same will be taken as Confessed against him and decreed in his absence. And further proceedings herein are Continued untill the next Term And afterwards, towit, on the Sixteenth day of October in the year of our Lord One Thousand Eight hundred and thirty two, at a Term of the said Hendricks Circuit Court began and held in the town of Danville by the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the said Hendricks Circuit Court, Come the complainant Irons by his Solicitor, and makes and files proof of Publication here at least Sixty days before the first day of the present term of this Court for three weeks Successively according to law, and the said William H Kenton having failed to attend appear, and the Court now being

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And it appearing to the Satisfaction of the Court from the said Cross Bill that the said William H Henton who is made defendant thereto, is a non Resident of the State of Indiana It is Ordered by the Court that notice of the pendency of said Cross Bill be published for three weeks successively in the Indiana Journal a Weekly Newspaper Published at Indianapolis, that unless he be and appear before the Honorable the Judges of the Hendricks Circuit Court on or before the first day of their next October term, and answer the said Cross Bill, the same will be taken as Confessed against him And decreed in his absence. And further proceedings therein are Continued untill the next Term And afterwards, towit, on the Sixteenth day of October in the year of our Lord One Thousand Eight hundred and thirty two, at a Term of the said Hendricks Circuit Court began and held in the town of Danville by the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the said Hendricks Circuit Court, Came the complainant Irons by his Solicitor, and makes and files proof of Publication herein at least Sixty days before the first day of the present term of this Court for three weeks Successively according to law, and the said William H Henton having failed to attend appear, and the Court now being

Sufficiently advised of and concerning the premises, render the following decree therein It is ordered, adjudged and decreed by the Court, that as the said Polly Henton having surrendered her right to dower in the premises said tract of land described in said Crop Bill and Bond by the receipt of one third of the purchaise money in lieu of Dower, and the said Complainant Thomas Irons having tendered the balance of the purchase money into Court, to be paid out under their direction It is ordered, adjudged and decreed that Harvey Gregg be and he is hereby appointed Commissioner to make Execute and bring into Court a Deed in pursuance of the said bond filed in said cause, to the said Thomas Irons, and thereupon the said Commissioner came into Court with a Deed Executed to the said Thomas Irons, and acknowledged the same in open Court conveying the said land to the said Thomas Irons in persuance of the bond of the said Thomas Irons from the said William H Henton, which Deed is confirmed by the Court, And is in the following words and figures, towit, This Indenture made this sixteenth day of October in the year of our Lord Eighteen hundred and thirty two Between Harvey Gregg as commissioner appointed by the honorable the Judges of the Hendricks Circuit Court at their October Term in the year Eighteen hundred and thirty two, of the one part, and Thomas Irons of the County of Hendricks of the other part, Witnesseth, That Whereas on the 21st day of May in the year 1831 William H Henton of the said County of Hendricks made and executed his bond to the said Thomas Irons for the South fraction of the North East quarter of Section no 5 in Township no 14 north of Range no 1 East, And also to include the following described part of the West half of the said quarter Section of land (towit) to commence at the North West corner of the said fraction, and run West 19 30/100 poles to a Stake thence South 80 poles to a Stake thence East 19 30/100 poles to a Stake thence North 80 poles to the beginning, which said bond was executed for the Consideration of the sum of five hundred dollars, Three hundred dollars paid down and one note for one hundred dollars due the first day of May 1832 on the payment of which the said William H Henton was to make a good and sufficient General Warrantee Deed to the said Land described in said bond, and one other note for one hundred dollars due the first day of May 1833 making in the whole the sum of five hundred dollars, the full Consideration for said land, and on the thirteenth of October 1831 the said William H Henton abandoned and left the State of Indiana, declareing that he was going to some foreign Country, and left his wife and was involved in debt to a large amount, And on the 31st day of January Polly Henton filed her Bill Claiming her Dower right in said land, and on the 17th day of April filed her amended Bill, praying for a divorce and alimony, and calling on the said Thomas Irons to answer as the purchaiser of the said land, and on the 18th of April 1832 the said Thomas Irons filed his answer and Crop Bill admitting the truth of the Bill filed by the said Polly Henton and praying for a Deed, and tendered the residue of the money $200 in Court to satisfy her Claim for dower, under direction of the Court, which was accepted in lieu thereof to be applied under the directions of the Court, for that purpose, Whereupon the Court appointed the said Harvey Gregg Commissioner as aforesaid to Convey the title of the said land to the said Thomas Irons according to the tenor and of said bond, which was filed as an Exhibet in said Crop Bill, Now therefore the said Harvey Gregg as such commissioner as aforesaid as aforesaid do hereby, by virtue of the power in me vested in my capacity as Commissioner as aforesaid Convey to the said Thomas Irons and his heirs forever

all the right and title and interest of the said William H Henton and the dower right of the said Polly Henton surrendered on the condition aforesaid to the said Thomas Irons and his heirs forever thereby binding the said William H. Henton as far as I have power as such Commissioner as aforesaid to warrant and forever defend the title to said tract of land under the decree of said Court to the said Thomas Irons and his heirs forever against the claim or claims of all persons claiming by, through or under the said William H Henton or any other person whatever In testimony whereof I the said Harvey Gregg as Commissioner as aforesaid have hereunto set my hand and seal, this day and date first above written

H. Gregg Comr. (Seal)

State of Indiana Hendricks County:

Be it remembered that on this 16th day of October A.D. 1832 Harvey Gregg appeared in open Court and acknowledged the signing and sealing of the foregoing Deed of conveyance to be his act and Deed as commissioner for the purposes therein contained

Given under my hand the day and date above written. S.T. Hadley Clerk

It is therefore Ordered, adjudged and decreed that the title to the said land vest in the said Thomas Irons and his heirs forever, and that the same be divested from the said William H Henton, and his heirs forever, and that the dower right of the said Polly Henton be decreed to the said Thomas Irons, and that the said Sum of two hundred dollars so paid into Court by the said Thomas Irons remain in Court Subject to the dower of the said Polly Henton under the direction of the Court And it is Ordered that the said Commissioner be allowed the Sum of two dollars for the Execution of said Deed, And it is further Ordered adjudged and decreed that the said William H Henton pay and satisfy the costs of this proceeding and the same be deducted out of the said two hundred dollars so paid in, All of which is Ordered, adjudged and decreed accordingly And afterwards, towit, on the day and year last aforesaid before the honorable the Judges aforesaid. the same being the second Judicial day of the October Term of the Hendricks Circuit Court began and held in the town of Danville as aforesaid, in said year Came the complainat Polly Henton by her Solicitor, and made and filed proof of Publication of the Order of the last term of this Court for three Weeks Successively at least Sixty days before the first day of the present term of this Court, and the Trustees appointed at the last term of this Court now come in and make Report, Shewing the Situation of the unsettled business of the said William H. Henton, and all the exhibits being seen, and Testimony as to the absence and Conduct of the said William H Henton being heard the Court do now render the following decree herein It is ordered adjudged and decreed by the Court, that the bonds of matrimony heretofre subsisting between the said Polly Henton and the said William H Henton be and the same are hereby dissolved and held as naught, as to the said Polly Henton, who is hereby declared a feme sole, and vested with all the power necessary to enable her to hold property in her own right, so far as this Court has power to confer it. And the matrimonial Contract is declared forever dissolved as to the said Polly Henton. It is further Ordered adjudged and decreed, that the report of the said Trustees appointed to settle

all the right and title and interest of the said William H Henton and the dower right of the said Polly Henton surrendered on the condition aforesaid to the said Thomas Irons and his heirs forever thereby bending the said William H. Henton as far as I have power as such Commissioner as aforesaid to warrant and forever defend the title to said tract of land under the decree of said Court to the said Thomas Irons and his heirs forever against the claim or claims of all persons claiming by, through or under the said William H Henton or any other person whatever In Testimony whereof I the said Harvey Gregg as Commissioner as aforesaid have hereunto set my hand and seal, this day and date first above written

H. Gregg Comr. {Seal}

State of Indiana Hendricks County}

Be it remembered that on this 16th day of October AD 1832 Harvey Gregg appeared in open Court and acknowledged the signing and sealing of the foregoing Deed of conveyance to be his act and Deed as commissioner for the purposes therein contained

Given under my hand the day and date above written. L.T. Hadley Clerk

It is therefore Ordered, adjudged and decreed that the title to the said land vest in the said Thomas Irons and his heirs forever, and that the same be divested from the said William H Henton, and his heirs forever, and that the dower right of the said Polly Henton be decreed to the said Thomas Irons, and that the said Sum of two hundred dollars so paid into Court by the said Thomas Irons remain in Court Subject to the dower of the said Polly Henton under the direction of the Court And it is Ordered that the said Commissioner be allowed the Sum of two dollars for the Execution of said Deed, And it is further Ordered adjudged and decreed that the said William H Henton pay and satisfy the costs of this proceeding and the same be deducted out of the said two hundred dollars so paid in, All of which is Ordered, adjudged and decreed accordingly And afterwards, towit, on the day and year last aforesaid before the Honorable the Judges aforesaid. the same being the Second Judicial day of the October Term of the Hendricks Circuit Court began and held in the town of Danville as aforesaid, in said year Came the Complainat Polly Henton by her Solicitor, and made and filed proof of Publication of the Order of the last term of this Court for three Weeks Successively at least Sixty days before the first day of the present term of this Court, and the Trustees appointed at the last term of this Court now come in and make Report, Shewing the Settlement of the unsettled business of the said William H. Henton, and all the exhibits being seen, and Testimony as to the absence and Conduct of the said William H Henton being heard the Court do now render the following decree herein It is ordered adjudged and decreed by the Court, that the bonds of matrimony heretofore subsisting between the said Polly Henton and the said William H Henton be and the same are hereby dissolved and held as naught, as to the said Polly Henton, who is hereby declared a feme sole, and vested with all the Power necessary to enable her to hold property in her own right, so far as this Court has power to confer it. And the matrimonial Contract is declared forever dissolved as to the said Polly Henton. It is further Ordered adjudged and decreed, that the report of the said Trustees appointed to settle

and adjust the unsettled business of the said William H Kenton shewing the whole debts, which he owed so far as the same has come to their Knowledge to be $902. 12½ and the sum of Settled by Polly Kenton before the last Court, and by them since their appointment to be $505.69½ which includes all the expenses of settleing the same, which leaves the sum of $486.42½ and nothing reported to meet it but $30 available to pay the same leaving a Balance of $456.42½ to be paid. And the estimate of the real property is made at $605 dollars, including the dower right of the said Polly Kenton and $66 33⅓ to come out of it for a dower right She surrend=dered to George Kenton Senior for the payment of $200. which William H Kenton Owed to the said George Kenton Senior, And the said Trustees Sold him Thirteen Lots and One Out Lot in the Town of Belville, and the Court appointed the said Trustees to make and Execute a Deed to the said thirteen Lots and One Out Lot, and thereupon the said Trustees as Commissioners Come into open Court, and made, executed and acknowledged a Deed of Conveyance for said Lots to the said George Kenton Senior therein described. which is in the words and figures following, towit,

This Indenture made this this Sixteenth day of October in the year of our Lord Eighteen hundred and thirty two Between Harvey Gregg and George W. Pope as Trustees appointed by the Honorable the Judges of the Hendricks Circuit Court to Settle the unsettled business of William H Kenton, who absconded from the county of Hendricks in October 1832 of the one part, and George Kenton Senior of the State of Indiana of the other part, Witnesseth, that whereas the said William H Kenton owed the said George Kenton Senior the Sum of two hundred dollars, and the said Pope and Gregg as Trustees as aforesaid on the twenty first day of June entered into an agreement with Robert Cooper as the attorney in fact to procure a conveynce to the said George Kenton Senior to the following described property, as a full consideration for the whole of the claims of all descreption which the said George Kenton Senr held against the said William H Kenton in the town of ~~Danville~~ Belville, Towit, Lots No. 1, 2, 3, 10, 11 and 12 in Square No. 14 ~~&~~ No. 10 and 12 in Square No. 13 No. 6 in Square No. 12 — No. 5, 7 & 8 in Square No. 11 — and Out Lot No. 8, all lying and being in the Town of Belville as described on the original Plat of said Town, and at the October Term of the Hendricks Circuit, the court upon the report of said Trustees approve of the said Sale, and confirm the same and appoint the said Trustees as Commissioners to convey the same to the said George Kenton Senr Therefore in pursuance of the said appoin=tment as aforesaid, the said Pope and Gregg as Commissioners aforesaid in consideration of the sum of two hundred dollars and other claims against the said William H. Kenton, as thereby by virtue of the order of said Court Convey to the said George Kenton Senior, all the right, title & interest of the said William H Kenton in and to said lots above described in the said town of Belville to the said George Kenton Senior, and his heirs forever, free from all Claim by the said William H Kenton, or any other person claiming through or under any other person And so far as we have Power to bind, the said William H Kenton and his heirs, We Thereby bind them to warrant and defend the same to the said George Kenton & his heirs forever In Testimony whereof the said Harvey Gregg & George W Pope as Commissioners as aforesaid have hereunto set their hands, and seals this day and year first above written

H. Gregg Seal

George W Pope Seal

State of Indiana Hendricks County

Personally appeared ~~Before~~ in open Court this 16th day of October AD 1832 Harvey Gregg & George W Pope and acknowledged the Signing and Sealing of the ~~Deed~~ foregoing deed to be their free and voluntary act and Deed for the purposes therein expressed S.T. Hadley Clerk

Which Deed is ordered to be received, and the proceedings of the said Trustees in all things confirmed in relation to the same, And the said George Henton Senior deed -ared to be fully vested with the title of said property so conveyed

It is further ordered, adjudged and Decreed that the said Sum of $200 paid into Court by the said Thomas Irons, after deducting the Costs of the said Thomas Irons occasioned by said proceedings be and the same is hereby Ordered to be paid over to the said Polly Henton in lieu of her Dower in the said Land so conveyed to the said Irons, and in part discharge of her Dower right in the 13 Lots and one Out Lot Conveyed to George Henton Senior, it being $66 33⅓ which She Surrendered on the above condition. And it is further ordered adjudged and decreed, that the said Polly Henton be fully vested with all the personal property of which she is now in possesion of, in her own right. And it is further Ordered, Adjudged and Decreed, That for the purpose of settleing up the whole business and paying of the whole of the said William H Hentons debts for which there is no personal property to Discharge. That James Pope be and he is hereby appointed Trustee, and vested with full power as such Trustee to offer for Sale, all the real Property owned by the said William H Henton in the town of Belville, and that as such Trustee he is hereby empowered to Sell the same by Giving at least twenty days notice in some Publick Newspaper before the said Sale, immediately after the close of the present term of this Court, and that he offer the same to the highest bidder on the following terms (Court), One third of the purchase money in hand, one third in four months, and one third in nine months by taking good and sufficient Security from the purchasers for the payment of the same, and that upon full payment of the purchase Money, he make and Execute Deeds to them as Trustee for the purposes aforesaid, and bring the same into Court, at the first day of their next term, with a full report of all proceedings had by him therein And that he proceed as fast as money comes to his hands, to pay off the debts of the said William H Henton, And that after full payment of the Debts he pay over to the said Polly Henton in lieu of the Balance of her Dower due to her for the Dower right She surrendered in the said 13 Lots and one Out Lot in the Town of Belville, conveyed to George Henton Senior And that if any thing should be left after the payment of the Debts and making the said Sale, that all the rest and residue be and the same is hereby directed to be paid over to the said Polly Henton in lieu of the Dower in the said lands & Lots So Ordered to be sold. And also after the payment of the costs of this suit by the said Trustees as Alimony, as it is the true intent and meaning of this Decree, that the whole of the Debts of the said William H Henton be first paid, and that all of the balance shall be paid over to the said Polly Henton for the purposes aforesaid, and this case so far as it relates to the sale and settlement of the said Debts, is continued until the next term of this Court Ordered that George W Pope be allowed ten Dollars for ten days services in the business as Trustee

Ordered that Harvey Gregg be allowd Thirty dollars for twenty two days Services as Trustee and for Services and travelling Expences in the Settlement of said Busines Ordered that the Sum of fifty dollars as paid over to said Polly Henton Since William H Henton lef the country for her maintainance be allowed in the Settlement of the Busines by the Trustee now appointed, all of which is ordered adjudged and Decreed accordingly And afterwards, Court, on the fifteenth day of April in the year of our Lord one Thousand Eight hundred and therty three. the same being the first Judicial day of the April Term of the Hendricks Circuit Court, began and held in the town of Danville by the Honorable Bethuel F Morris President Judg as aforesaid and Elijah Anderson & Thomas Lockhart aprocate Judges as aforesaid, Come the said Trustee and time is given untill the next term to make his final report in the Premises, and this Cause is continued And afterwords Court on the Sixteenth day of ~~Sept~~ October in the year of our Lord One Thousand Eight hundred and thirty three. the same being the third Judicial day of the October term of the Court aforesaid, held in the town of Danville by the Judges aforesaid Come James Pope who was appointed by the Court at their October term 1832 Commissioner and Trustee to sell the real Estate of the said William H Henton &c, and makes the following report of his proceedings in the premises, (towit, In obedience to a Decree of the Hendricks Circuit Court, made at their October term 1832 appointing the undersigned a Trus=tee, to sell the real property of William H Henton Conveying the same, receve the consideration therefor, collect money due said Henton pay off his debts and pay over the residue if any should remain in his hands to Polly Henton the complainant. Respectfully reports, That he gave notice as required by said Decree, and proceeded on Friday the Sixteenth day of November 1832 on the premises, pursuant to the terms and stipulation contained therein to sell to the highest and best bidder the following described property situate in the town of Belville in Hendricks County as aforesaid, towit, 1st Lots № 1.2, 11 & 12 in Square № 5 in said town, on which the improvements were made, was sold to Polly Henton for the sum of two hundred dollars $200 — 2d all of Square № 4 was sold to Polly Henton for twenty five dollars $25 — 3d All of Square № 3 was sold to Polly Henton for the sum of thirty Six dollars $36 — 4th The Out Lots № 4, 5 & 6 containing Six Acres and a half was sold to Polly Henton for Forty four dollars twelve and a half cents $44,12½ — Total amount purchased by her $305,12½ — Polly Henton paid on the above sum of three hundred dollars and five dollars, twelve and a half cents by cash and otherwise the following amount, towit, — 1st Polly Henton paid in cash on the day of Sale One hundred and ninety dollars $190 — 2d Surrendered a part of the Sum decreed to her for releasing her right of Dower to said Lots in lieu of alimony $46 — 3d Money paid Gregg for Services as trustee by her, thirty dollars $30 — Total Amt then paid $266 — 4th Said Polly Henton then executed her note agreeably to the terms of sale for the Sum of fifty Six dollars & fifteen cents which has since been paid $56,15 — 5th She gave up her allowance heretofore made for her maintainance of fifty dollars $50 — 6th Said Polly Surrendered and gave up the Sum of one hundred and twenty Six dollars & fifty cents allowed for releasing her right of dower in and to the property Sold as aforesaid $126,50 — 7th Payment made by her to Gen Pope for Services rendered by him as Trustee ten dollars $10. — 8th She is liable and will be bound to pay out of said estate or her own funds the costs of her Suit amounting to the Sum of fifty dollars or more $50 —

Total amount paid and Satisfied, for and on acpt of W. H. Hentons debts by said Polly $558,65 —— The unsersigned further States that the following described Lots in said town of Belville were sold at the time and in the manner aforesaid, at the premises, and to the persons herein after named, towit, 1st Lot No 1 in Square No 12 was sold to William Green for the sum of thirty nine dollars $39 —— 2d Lot No 5 & 6 in Square No 6 was sold to Robert Cooper for twenty dollars $20 — 3d A Lot called the Well one, undivided third part of which was sold to James Lester for the sum of twenty dollars $20 — Total amount of the three Lots Sold $79 — The unsersigned further states that the said Green, Cooper and Lester at the time said Sale was made, complied with the Terms thereof And have Since paid the whole amount of the purchase Money, and are now intetled to receive deeds for the Lots So perchased by them, The undersigned fourther States that he has executed deeds to each of said purchasers and is now in Court ready to acknowledge the execution thereof. Which said Deeds are in the words and figures following, towit, and the said commissioners acknowledge in open court the execution of the said deeds

1st The deed to Polly Kenton — This Indenture made this fifteenth day of October in yar of our Lord One Thousand Eight hundred and thirty three Between James Pope as Commissioner appointed by the Hendricks Circuit Court, of the one part and Polly Kenton, all of the County of Hendricks and State of Indiana of the other part, Witnesseth, That whereas the said Pope by a decree of the Hendricks Circuit Court at their October term 1832 was appointed a Commissioner to Sell and Convey certain real estate Situate in the town of Belville in the County of Hendricks aforesaid: and the said James Pope Commissioner as aforesaid in persuance of said decree, having first given the Notice Required by Law for the Sale of real estate on execution, On the 16th day of November 1832 did expose to Sale at public vendue in the town of Belville, Lots number Eleven, One and two, in Square No five, and Lot twelve in the Same Square, Also Lots No One, two, ten Eleven & twelve in Square No four, and all of Square no three, & out Lots No four, five & Six containing Six acres and one half, in the town of Belville, which said Lots and Blocks were Struck off and sold by the said Commissioner to the said Polly Kenton, She being the highest and best bidder, for the Sum of two hundred and fifty Six dollars, the receipt whereof is hereby acknowledged by the said Commissioner, Now by virtue of the authority before recited, and in said Pope vested by the said decree of the Hendricks Circuit Court as commissioner as aforesaid, he does hereby grant, bargain and Sell, alien and confirm to the said Polly Kenton her heirs and assigns forever, all the right, title & interest of William H Kenton in and to the said Lots of Land above described To have and to hold the aforesaid Lots of Land with the appurtenances thereunto belonging to the only proper use and behoof of the said Polly Kenton, her heirs and assigns forever. And the said James Pope as Commissioner as aforesaid So far as he has power, in and by virtue of the decree aforesaid, doth hereby warrant and defend the title of the said Polly Kenton hereby conveyed to her against all persons claiming by, through, or under the said Wm H Kenton defendant in said Suit, in which said decree was rendered, ordering the aforesaid premises to be sold by virtue thereof. In Testimony whereof the said James Pope Commissioner as aforesaid, hath hereunto set his hand and seal, this day and year first above written

James Pope Seal

State of Indiana Hendricks County SS

Be it remembered that on the 15th day of October 1833 Personally

Total amount paid and Satisfied, for and on acpt of W. H. Hentons debts by said Polly $558,65 —— The undersigned further States that the following described Lots in said town of Belville were sold at the time and in the manner aforesaid, at the premises, and to the persons herein after named, Court, 1st Lot No 1 in Square No 12 was sold to William Green for the sum of thirty nine dollars $39 —— 2d Lot No 5 & 6 in Square No 6 were sold to Robert Cooper for twenty dollars $20 — 3d A Lot called the Well one, undivided third part of which was sold to James Lester for the sum of twenty dollars $20 — Total amount of the three Lots Sold $79 — The undersigned further states that the said Green, Cooper and Lester at the time said sale was made, complied with the terms thereof And have since paid the whole amount of the purchase money, and are now entitled to receive deeds for the Lots so purchased by them, The undersigned fourther States that he has executed deeds to each of said purchasers and is now in Court ready to acknowledge the execution thereof- and the said commissioner acknowledges in open court the execution of the said deeds Which said Deeds are in the words and figures following, Court,

1st The deed to Polly Kenton — This Indenture made this fifteenth day of October in year of our Lord One Thousand Eight hundred and thirty three Between James Pope as commissioner appointed by the Hendricks Circuit Court, of the one part and Polly Kenton, all of the County of Hendricks and State of Indiana of the other part, Witnesseth, That whereas the said Pope by a decree of the Hendricks Circuit Court at their October term 1832 was appointed a Commissioner to Sell and Convey certain real estate Situate in the town of Belville in the County of Hendricks aforesaid: and the said James Pope Commissioner as aforesaid in persuance of said decree, having first given the Notice Required by Law for the Sale of real estate on execution, On the 16th day of November 1832 did expose to Sale at public vendue in the town of Belville, Lots number Eleven, One and two, in Square No five, and Lot twelve in the Same Square, Also Lots No One, two, ten Eleven & twelve in Square No four, and all of Square no three, & out Lots No four, five & Six Containing Six Acres and one half, in the town of Belville, which said Lots and Blocks were Struck off and sold by the said Commissioner to the said Polly Kenton, She being the highest and best bidder, for the sum of two hundred and fifty Six dollars, the receipt whereof is hereby acknowledged by the said Commissioner, Now by virtue of the authority before recited, and in said Pope vested by the said decree of the Hendricks Circuit Court as commissioner as aforesaid, he does hereby grant, bargain and sell, alien and confirm to the said Polly Kenton her heirs and assigns forever, all the right, title & interest of William H Kenton in and to the said Lots of Land above described To have and to hold the aforesaid Lots of Land with the appurtenances thereunto belonging to the only proper use and behoof of the said Polly Kenton, her heirs and assigns forever. And the said James Pope as Commissioner as aforesaid So far as he has power, in and by virtue of the decree aforesaid, doth hereby warrant and defend the title of the said Polly Kenton hereby conveyed to her against all persons claiming by, through, or under the said Wm H Kenton defendant in said Suit, in which said decree was rendered, ordering the aforesaid premises to be sold by virtue thereof. In Testimony whereof the said James Pope commissioner as aforesaid, hath hereunto set his hand and seal, this day and year first above written

James Pope (Seal)

State of Indiana Hendricks County ss

Be it remembered that on the 15th day of October 1833 Personally

appeared in the Hendricks Circuit Court, October Term James Pope Commissioner who Signed and Sealed the above deed of Conveyance / And States and declares that his Signing and Sealing of the same, was his voluntary act and deed for the purposes therein Contained Witness P.T. Hadley clerk

2d the deed to Lester — This Indenture made this Seventh day of August in the year of Our Lord Eighteen hundred and thirty three Between James Pope as commissioner appointed by the Honorable the Judys of the Hendricks Circuit Court of the one part, and James Lester all of the County of Hendricks and State of Indiana of the other part, Witnesseth that the said James Pope by a decree of the Honorable the Hendricks Circuit Court, at their October term 1832 was appointed a commissioners to Sell and Convey the real estate of William H Henton, Situate and being in the town of Belville in the said County of Hendricks, And the said James Pope as Commissioner as aforesaid, and in pursuance of said decree on the 16th day of November 1832 Exposed the said property to public Sale in the town of Belville and said James Lester at said Sale became the purchaiser of the said undivided third part, of Lot No 10, Square No 6 as known and designated on the original plat of said town he being the highest bidder therefor at the sum of twenty dollars and Cents, which he has paid, and secured to be paid, the right hereby receipt whereof is hereby acknowledged. Now by virtue of the authority in me vested by the decree of said Court as Commissioner as aforesaid, I do hereby bargain, Sell, Alein, Convey and Confirm to the said James Lester, and his heirs forever, all the right, title and interest of the said William H Henton in and to the Lot of land above described, To have and to hold the aforesaid Lot of Land with the appurtenes to the only proper use and behoof of the said James Lester, his heirs and assignes forever, And the said James Pope as commissioner as aforesaid, So far as he has power under the decree aforesaid, doth hereby Warrant and defend the title of the said William H Henton against the Claim or Claims of all persons claiming by, through or under him the to the said James Lester and his heirs forever In Testimony whereof the said James Pope as commissioner as aforesaid hath hereunto set his hand and affixed thereto his seal, this day and year first above written

Witness Levi Jessup James Pope Commissioner (Seal)

State of Indiana Hendricks County

Be it remembered that on the 15th day of October 1833 personally appeared in the Hendricks Circuit Court, October Term 1833 James Pope the Commissioner, who Signed and Seald the within Deed of Conveyance, and States and declares that that his Signing and Sealing of the same was his act and deed for the purposes therein contained Witness P.T. Hadley Clerk

The undersigned further says that out of the moneys that came into his hands possesion as trustee as aforesaid, 1st he has paid to Moore and Worthington in discharge of a note they held on said W.H. Henton the sum of fourteen dollars Sixty two Cents $14.62 2d. he also paid to C. Fletcher ally for Dutton Eighty dollars the balance in full of said Duttons demands against the said W.H. Henton $80.00 and believes all said Hentons debts are paid, All of which is respectfully Submitted, this 15th day of October 1833

James Pope
Commissioner & Trustee

And this Cause is continued untill the next Term, And afterwords towit, on the Sixteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty four, the same being the third Judicial day of the April Term of the Hendricks Circuit Court, held at the Court House in the town of Danville by the Bethuel F Morris President Judge as aforesaid, and Elijah Anderson

and Thomas Lockhart aprocate Judges of the Hendricks Circuit Court as afore
-said. Comes the Complainant by her Solicitors and the premises being seen, it is
with the assent of the said Complainant, Ordered that she the said Comp
-lainant pay all the costs accrued in this proceeding in Sixty days and
that on failure she be attached.

Please Before the Honorable Bethuel F. Morris President
Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah
Anderson & Thomas Lockhart Esquires aprocate Judges of the Hendricks
Circuit Court in and for the County of Hendricks, at the April term
of said Court, held at the Court House in the town Danville in the yar
of our Lord One Thousand Eight hundred and thirty four, towit,

Thomas Nichols
vs
Mitchell M. White
} In Chancery

Be it remembered that heretofore towit
on the Eighteenth day of April in the year of our Lord One Thousand Eight
hundred and thirty three the same being the fourth Judicial day of the April
term of the Hendricks Circuit Court in the year last aforesaid Thomas
Nichols filed in said Court the following Bill in the above entitled
Case, towit, To the Honorable the Circuit Court of the County of Hendr
-icks in the State of Indiana in Chancery setting. Humbly compl
-aining sheweth unto your Honours, your orator Thomas Nichols of said
County that on the 28th day of April in the year 1832 Mitchell M. White whom
your orator prays may be made defendant to this his bill of complaint
obtained Judgment against your orator before Job Osborn a Justice
of the Peace for said County for the sum of thirty five dollars with
interest thereon from the first day of March 1832 till the same shall
be paid, and also costs of suit Your orator further shews that on
the 1st of October 1832 there was paid on said Judgment an execution
issued thereon Seventeen dollars & fifty cents, and on the 25th the month
last named, the Constable who had had the execution above named
obtained the receipt of said Justice for Eight dollars & 25 cents which
your Orator had paid to said Constable before the said 1st of October
1832, and while he the said Constable had in his hands an execution
on the Judgment above mentioned for collection. Your orator shews
that subsequent to the obtaining of said Judgment, & prior to the said 1st of
October 1832 the said White became indebted to your orator in the sum
of $2,57 cents fees due him as Sheriff and Gailor of the said County
according to the fee bill thereunto filed marked A, which your orator
prays may be made a part hereof Which is in the following words
and figures, towit, White & Todd vs Lanford Carter, Debt, Shffs
fee bill, August 20th for putting the Deft in Gail on the first procp 0 37½
To discharging the same 37½ Do for putting the Deft in Gail 2d time 37½
Do serving writ of Habias Corpias 50 returning writ 10 Do serving
Sub 37½ returning Do 10 Do discharging the same 37½ —— $2,57½
Thos Nichols Shff HC

the said fees having accrued upon a Capias ad Satisfaciendum in the name of said White and ~~~~ Henry G Todd against said Lanford Carter, and which was executed and the said Carter imprisoned thereon against the will of said Todd, and at the direction hazard & for the benefit of said White alone And also within the time above named, said White became indebted to your Orator in the Sum of $5,87½ Cents for boarding, Stable rent and grain & oats furnished for said White by your Orator at said Whites request, during the time aforesaid, and the Sum of $1,25 Cents Cash advanced during the time aforesaid, by your Orator for said White in payment of said Whites Taxes for the year 1832 due to the State & County, and also in the Sum of $3 for a log Chain of that value which was borrowed of your Orator by the said White during the time aforesaid, and by him never returned, but was by said White Converted to his own use, whoe thereby became equitably bound to pay your Orator therefor. Your orator on the first day of October 1832, your orator appeared before said Osborn Justice as aforesaid and on notice of his intention given to one James Anderson, whome your orator suppose & believed to be the agent of said White, and on proof of his said accounts against said White, said Justice Considered the amount thereof to be entered as a credit upon said Judgment, but from which decision the said White by his friend appealed to this Court, on the Common Law Side thereof, when for want of a proper notice, the said application of your Orator for his amount to be said, Credited upon said Judgment, was dismissed, Your Orator prays that a copy of the said transcript now on file in this Court on the Common Law Side thereof, and of the proceedings in this Court in relation to said application be made apart of this his bill by way of referance, and also of the proceedings before said Justice in relation thereto, which is in the following words and figures, towit, Mitchell McWhite assignee of Willis G Condrett vs Thomas Nichols, debt, demand $35,00, a note filed April the 19th 1832 which note is in the following words towit, $35.00 — Dec 1st We Condrett thirty five dollars by the first day of March nexet, Value received, February 25th 1832 Thos Nichols Seal

Summons issued to John Nichols Constable April 21st 1832, returnable April 28th 1832 at 10 Oclock Summons returned Served by reading April 28th 1832, Comes now the defendant, States the demand is Just It is therefore Considered that the plaintiff recover of the defendant thirty five dollars Debt, with interest thereon from the first day of March 1832 untill paid, together with costs of Suit, and the defendant in mercy &c

Job Osborn J.P.

I Henry G Todd acknowledge myself Security for the defendant in the above Judgment and costs, and costs that may accrue, May the 2d 1832

Henry G. Todd

Execution issued to David C Adams Constable August 21st 1832, received of David C Adams Constable on the above Judgment $16,00 Sept 29th 1832

Job Osborn

Execution returned Oct the 1st 1832 with $17,50 Cents made, October the 1st 1832 an application to enter Satisfaction of the above named Judgment, and it appearing to the Satisfaction of the Court, that this Judgment debtor has given M. M. White's Agent James Anderson legal notice of this application to enter Satisfaction &c, It is therefore Considered by the Court, that Thomas Nichols be allowed a credit on said Judg=ment of twelve dollars and thirty One Cents, and the defendant in mercy &c

Job Osborn Justice of the peace

an appeal Bond filed Oct 13th 1832 Received of David C Adams Constable on the above Judgment $8.25 Oct 20th 1832 Job Osborn J.P.

State of Indiana Hendricks County I Thereby certify the within to be a true Transcript from my docket. Given under my hand and seal, this 15th day of Oct 1832 Job Osborn JP (Seal)

And afterwords, towit, on the Eighteenth day of April in the year of our Lord One Thousand Eight hundred and thirty three at a court holden at the Court house in the town of Danville, by the Honorable the Judges aforesaid the same being the fourth Judicial day of the April Term of said Court in the year last aforesaid Come the parties by their attorneys, and on motion of this application is dismissed at the costs of the defendant Nichols It is therefore considered by the court, that the plaintiff recover of the defendant the Sum of dollars and cents, for his costs and charges in this behalf laid out and expended, and a procedendo is awarded directing the Justice to proceed in the premises. Your Orator Shews that he has paid all the costs accruing on the said Judgment Obtained by said White against your orator before said Justice, and that the amount of this said account exceeds the amount of any balance due on said Judgments

Your Orator also Shews that about the day of September 1832 before the first of October 1832, and Subsequent to the accruing of said account in your orators favour, said White left this Country with a drove of horses, with the declared intention of returning, but has never returned but has gone to parts without this State unknown to your Orator, and said James Anderson has denied being his agent, nor does your orator know or believe he has left any other agent in this Country Now your Orator verily believes that an execution will in some way be issued on said Judgment, unless the same be prevented by the powers of this court, and at all events he is unsafe so long as said Judgment remains open & unsatisfied, therefore because said White is not present, & to prevent your orator from being harrassed with attempted Collections of said Judgment, your Orator prays that said White answer this bill as fully as if the same were here repeated by way of interogatory, and that said White and his agents & attorneys & said Justice be restrained from proceeding to Collect said Judgment untill the final hearing hereof, when they be forever enjoined from proceeding thereon, and such other & further relief as your Honors deem just and he will ever pray

Thomas Nichols

State of Indiana, towit, In the Circuit Court of Hendricks County in said State at the April Term thereof 1833 in Open Court personally appears Thomas Nichols the above Complainant & makes oath that the facts set forth in the above bill are true as he verily believes.

Sworn to before me this April 18th 1833 & Subscribed. P.T. Hadley clk

I Thomas Nichols do Hereby release all errors at law in the Judgment named in the bill in Chancery on this sheet written, Witness my hand and seal, April 18th 1833 Thos Nichols (Seal)

Attest P.T. Hadley

And afterwords, towit, on the day and year last aforesaid and at the term of the court last aforesaid before the Honorable the Judges aforesaid, Comes the Complainant and files his bill in Chancery, praying an injunction, which being supported by affidavit, and a release of the errors at law in the Judgment in the said bill named being also filed, and an injunction bond approved

of by the Court being also filed. Ordered that the said White, his agents and attorneys, and the Justice of the peace in said bill named be restrained and enjoined as is in said bill prayed, untill the final hearing of the said bill, and that a writ of injunction accordingly issue, and a Summons against said White, and this Cause is continued, and day is given. And afterwards towit, On the fifteenth day of October in the year of our Lord One Thousand Eight hundred and thirty three, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville, by the Honorable the Judges aforesaid the same being the Second Judicial day of the October term of said Court in the year last aforesaid, Come the complainant by his Solicitor, and the defendant by H Brown his Solicitor comes also and enters his appearence, and this cause is continued untill the next term And afterwards, towit, on the Sixteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty four at a term of the Hendricks Circuit Court began and held in the town of Danville by the aforesaid Judges, the same being the third Judicial day of the October term of said Court in said year, Come the parties by their attorneys, and the said Mitchell M White being three times thrice Solemly called, comes not, but therein makes default, nor will he answer the allegations of the Complainants bill, and the attorney for the said White, saith he hath no answer to said bill, to make in this behalf, Wherefore it is considered, Ordered, adjudged and decreed that the Complainants said bill of Complaint, and the matters and things therein alledged, be taken as confesed and held as true Wherefore it Satisfactorily appears to the Court now here, that the said Nichols has paid upon the Judgment infavour of said White in said bill named, the sum of thirty Seven dollars and ninety five cents, which ought to be credited upon said Judgment as being paid on the first day of October 1832.

It is therefore finally ordered, adjudged and decreed, that the said Mitchell M White, his agents and attorneys, and all acting under him or them or by his or their Order be perpetually injoined from collecting or attempting to collect by execution or otherwise the said Sum of thirty Seven dollars and ninety five cents, and that the same stand as a credit upon said Judgment forever, and that said Complainant recover of the said White the Sum of dollars and cents as and for his costs and charges by him about the prosecution of his said bill laid out and dispended

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks, of the April Term of said court in the year of our Lord One Thousand Eight hundred and thirty four towit

James Anderson
vs
Larken R Campbell } Appeal

Be it remembered that heretofore towit, that on the twenty Sixth day day of March in the year aforesaid, Noah Harding a Justice of the peace within, and for said County of Hendricks filed

in the Clerks office of the Hendricks Circuit Court the following Transcript and plea in the foregoing Cause, towit James Anderson vs Larken R Campbell. The Plaintiffs demand on a protested order filed on the 15th day of March 1834, towit, Mr. Lewis Master Sir please to pay James Anderson two dollars and this shall be your receipt for the same. and oblige yours &c. January the 9th 1834 Larken R Campbell

I protest the within Order. this 10th March 1834 Lewis Master

Justices fees	
Entry	12½
ispu S	12½
ispu Sub	25
Continuance	12½
ispu 2 Sub	50
ispu Venire	12½
Mandt to plea	6¼
M Jury	25
Swd Jurt	25
SM Bailiff	06¼
Ent Jury ver	12½
trial & Judg	25
Appeal bond	25
this Trans	25
Constables fees	
S—S	25
Return	5
S Sub	12½
Milage	16
Return	5
S. Sub 2 wit	25
milage	12½
Return	5
S Sub	12½
milage	6
Return	5
S—Jury	25
Return	5
attending Jury	12½
Witness fees	
E. Anderson 2 days	50
N Brown 1 day	25
Jury fees	
for 6	$1,50

on the above Cause of debt a Summons is ispued on the same day against the defendant, and also a Subpoena for Elijah Anderson to Gideon Hufford Cont. Returnable on the 19th of this Inst. at 12 Oclock on said day, afterwards towit on the 19th day of March 1834 the aforesaid writs are returned as follows, towit. Said Summons the same day by reading, Subpoena also Served by reading to Gideon Hufford Cont. And at this time the parties are thrice called the defendant personally appears, but the plantiff makes default the defendant now applies for a Continuance of this Cause, which is granted, and the 22d of this Inst at 12 Oclock on said day is appointed for the trial of said Cause, a Subpoena for 2 witnesses ispued on the 19th of March 1834 also a Subpoena for one witness to Gideon Hufford Cont. to be returned on the aforesaid. March the 22d 1834 the aforesaid Subpoenas are now returned towit Served as within Commanded Gideon Hufford Cont.

a Venire is ispued at the Inst. of the defendant to Clark Davis Cont to be returned instanter the defendant now comes into open Courts and files a plea in abatement being duly sworn thereto which said plea is in the words and figures following, towit.

In the Court of Noah Harding Esqr. on the 22d day of March 1834 James Anderson vs Larken R Campbell, And the said deft in his own proper person comes and defends the wrong and injury when, where &c And prays Judgment of the said Summons & Cause of action, because he says the said several promises and undertakings in the said Summons & Cause of action mentioned if any such were made, were and each of them were made with the said James Anderson as the attorney in fact of for one George Miller of McDonough county State of Illinois, and which said George Miller not being named in the said Summons or cause of action, Wherefore because he is not named in the said Summons and cause of action, or because the said suit is not brought in the name of George Miller by his atty in fact James Anderson, the said defendant prays Judgment of the said Summons and cause of action, and that the same may be quashed &c

L. R. Campbell

State of Indiana Hendricks County ss L R Campbell the defendant in the above Cause maketh Oath and saith that the meterial facts set forth in the above plea are true in Substance and matter of fact, Sworn to and Subscribed before me the undersigned, this 22 day of March A.D. 1834

Noah Harding J Peace

the plaintiff thereupon introduces contrary testimony, the defendant now files an account and plea of set off which are in the words and figures following, towit,

November the 22d 1834 James Anderson

Witness fees	
E. Anderson 2 days	50
N Brown 1 day	25
Jury fees	
for 6	$1,50

to L R Campbell Dr To finding brick and laying tharth $1,00 to laying one hundred brick in back wall $0,50 to finding and puting in 22 lights of Glass 100 To underpining house with Slabs $0,25 to making door step to house $0,50

State of Indiana Hendricks County sict L R Campbell deft. ads James Anderson Plff – In the Court of Noah Harding Esqr on the 22 day of March 1834 And now comes the said L, R, Campbell deft in his own proper person and defends the wrongs and injury when where &c. And for plea says that the said James Anderson plaintiff, his action ought not to have and maintain, because he says that the said Order of two dollars to one L Masten was obtained through fraud and dup corruption, for this that at the time said Order was given by this defendant to the said Plff it was to pay in part the rent of certain property of One George Miller and this defendant had previous to given the order, done certain repairs on said House at the request of George Miller by his attorny in fact to the amount of $3,50 Lawful money, Wherefore he prays Judgment of the Justice &c

L, R, Campbell

The venere is now Returned, towit, Served the within Clark Davis Const. the parties being present a Jury now appear are Sworn and impanneled towit, P.S. Johnson, C.C. Bell, John Plaster, James Sharp, G.K.C. Blake & Zachariah R. Clark Six good and lawful men, the parties Join issue, the Witnesses appear are Sworn and Testified in said cause is thereupon Submitted to the Jury, Clark Davis Cons. Sworn bailiff takes charge of the Jury and the Jury retire, the Jury is returned by said Constable, and after being duly called are all present and return the following verdict. We as Jurymen find in favour of the defendant one dollar thirty five cents P.S. Johnson foreman

It is therefore considered that the plaintiff take nothing by this this suit, but that the defendant recover of the plaintiff the sum of $1,35 cents debt together with costs of this suit herein expended in this behalf and the plaintiff in mercy &c Given under my hand and seal, this the 22^{d} day of March 1834 Noah Harding J.P. (Seal)

I do certify that the above Transcript is a true copy from my docket of the proceedings had before me Noah Harding J.P. (Seal)

And afterwards, towit, on the Seventeenth day of April in the year of Our Lord One Thousand Eight Hundred and thirty four, at the a term of the Hendricks Circuit Court began and held at the Court House in the Town of Danville by the Judges first aforesaid, the same being the fourth Judicial day of the April Term said Circuit Court in said year Come the parties by their attorneys, And this cause is Submitted to the Court and the allegations and proofs of the parties being heard and the premises Seen and inspected It is considered by the Court now here that the plaintiff recover of the defendant the sum of two dollars And also the sum of dollars and cents costs, for his costs and charges by him in this behalf laid out and expended, and the defendant in mercy &c

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana And Elijah Anderson and Thomas Lockhart Esquires Apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at the April Term of said Court in the year of Our Lord One Thousand Eight Hundred and thirty four Court

William L Mattock
vs
William Faught

Trover & Conversion

Be it remembered that heretofore Court, On the twenty Sixth day of March in the year aforesaid William L Mattock the above entitled plaintiff by Mick his Attorney filed in the Clerks Office of the Hendricks Circuit Court the following Declaration Court, State of Indiana Hendricks County ss In the Circuit Court of said County William L Mattock Complains of William Faught in Custody &c of a plea of trespass on the case for trove and Conversion, for that whereas heretofore on the Twentieth day of September in the year 1832 at said County by the said plaintiff was possessed of a Certain promesary note payable upon the face thereof to James Mattock, executed by him the said William Faught, dated the 27th day of September 1831 and due one day after its date for the Sum of fifty Seven dollars and thirty Seven & one half Cents, and of the value of fifty Seven dollars and 37½ cts as of his own proper goods and Chattels and property and being So possessed on the same day and year aforesaid, afterwards Casually lost the same out of his possession at said County, and the same on the day and year aforesaid afterwords at said County Came to the possession of the said William Faught by by finding. Yet the said William Faught hath not as yet delivered the said promisary note to the said plaintiff as he ought to have done, & was often requested to do, but on the 30th day of October 1833, at said County converted the Same to his own use

And for that whereas also afterwords on the Same 30th day of September 1831 at said County the said plaintiff was possessed of a Certain note writing Obligatory payable upon the face thereof to James Mattock, executed by said William Faught dated on the 27th day of September 1831 and due one day after its date for the Sum of $57.37½ and of the value of $57.37½ as of his own proper goods, Chattels and property, and being so possessed, he the said plaintiff Casually the Same out of his possession, afterwords on the same day and year aforesaid at said county, Came to the possession of the said William Faught by finding.

Yet the said William Faught hath not as yet delivered the said writing obligatory to the said William L Mattock as he was often requested to do & ought to have done, but the same hath converted to his own use, to the Court on the 30th day of October 1833 at said County By means of which said Several premises the said plaintiff Saith he hath been & is injured to the value of One Hundred & fifty Dollars & therein he Sues Mick for pltff

And afterwords, to wit, on the Seventeenth day of April in the year of Our Lord One Thousand Eight Hundred and thirty four, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville by the Honorable the Judges aforesaid, the same being the fourth Judicial day of the April term of the said Hendricks Circuit Court in said year Come the parties by their attorneys and the defendant files his plea of not guilty, which said plea is in the words and figures

tourt, State of Indeiana Hendricks County, Hendricks Circuit April Term 1834
William Faught ads William S Mattock. Case, Trover and Conversion
And the defendant Comes and defends the wrong and injury when &c and Says
that he is not guilty in manner and form as the plaintiff hath thereof
declared against him, and of this he puts himself upon the Country
H Brown Atty for Defendant
to which the plaintiff adds his Semitetor, as follows, tourt, and the
plaintiff doth the like &c
Nave for plaintiff
And the Sheriff as commanded brings hereunto Court the Jurors of the
Jury, tourt, David Carter, Woodson Bryant, Charles B. Naylor, Thomas P.
Noland, George M C Blake, John Zimmerman, William M Hamer, Valentine
Brown, Gabriel B. Sayler, John Bush, Joshua Pickett and George H Keller
twelve good and deseret Householders of the County who are elected. tried
and Sworn a true Verdict to give in the issue aforesaid, And the plaintiff
being Called, comes not but makes default, And it is considered by the
Court now here that the plaintiff take nothing and that the defendant recover
of the plaintiff the Sum of dollars and cents
for his Costs and Charges in this behalf & expended and the plaintiff in mercy
And the plaintiff files his Bill of of exceptions taken in this cause

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Thomas Lockhart & Elijah Anderson Esquires Apociate Judges of the Hendricks Circuit Court in and for the County of Hendricks at the April term of said court in the year of Our Lord One Thousand Eight Hundred and thirty four, towit,

Moses Vice
John vs Richardson } Case

Be it remembered that heretofore, towit, on the Seventeenth day of March in the year of our Lord One Thousand Eight hundred and thirty four, Moses Vice the above entitled plaintiff by Nave his attorney filed in the Clerks Office of said Hendricks Circuit Court the following declaration, towit, State of Indiana Hendricks County ss Moses Vice vs John Richardson, Hendricks Circuit Court April Term 1834 Moses Vice Plff by Nave his attorney Complains of John Richardson deft of a plea of Trespass on the case for distraining for rent where none was due to his damage $6, for this that whereas the said Plff before and at the time of the greivances by the said defendant as herein after next mentioned, held and enjoyed a certain messuage and premises with the appurtenances, situate in the county of Hendricks, as tenant thereof to the said John Richardson defend at and under a certain rent, therefor, payable by the said Moses Vice Plaintiff to the Said John Richardson defendant. Yet the said John Richardson defend=ant not regarding the Statute in such case made and provided, but contriving wrongfully, and unjustly intending to harrass and oppress and injure the said Moses Vice Plff in this behalf, heretofore, towit, on the twenteth of December 1833 at the county of Hendricks and State aforesaid, by colour of a certain act of the Legislature of the State of Indiana, entitled, An regulating, distress for rent, wrongfully and unjustly seized, took and distrained in and upon the said premises, with the appurtenances, divers goods and chattels of the said Moses Vice Plff, towit, two hundred bushels of corn of great value, towit of the value of forty dollars, and afterwards, towit, on the 17th day of December 1833 at the county of Hendricks and State aforesaid and within the Jurisdiction of the Hendricks Circuit court, sold the said goods and chattels as such distress as aforesaid, by colour of said act of the Legislature of the State of Indiana, for certain rent, towit, one hundred and tenty bushels of corn, then and there pretended by the said John Richardson defendant, to be in arrear and due to the said John Richardson deft for the said demised premises with the appurtenances, whereas in truth and in fact at the time of the mak=ing of the said distress and the said sale as aforesaid, no rent was in arrear and due to the said John Richardson defendant for and in respect of the said premises with the appurtenances contrary to the form of the Statute in such case made and provided 2d And whereas the said Moses Vice plaintiff heretofore towit, on the 17th day of De=cember 1833 at the county of Hendricks and State aforesaid and within the Jurisdiction of the of the Hendricks Circuit court, was lawfully possessed as of his own property, of certain goods and chattles, towit, 122 bushels of Corn of great value, towit, of the value of forty dollars lawful money of the State of Indiana. And

being so possessed thereof, he the said Moses Vice Plff, afterwards, towit, on the day and year aforesaid, at the County of Hendricks and State aforesaid, Casually lost the said goods and chattels, out of his possession and the same afterwards, towit, on the 17th day of December 1833 aforesaid at the County of Hendricks aforesaid came to the possession of the said John Richardson by finding Nyet the said John Richardson defendant well Knowing the said goods and chattles to be the property of the said Moses Vice Plff, and of right to belong and appertain to him, but contriving and fraudulently intending craftely & subtilty to deceive and defraud the said Moses Vice Plff in this behalf hath not as yet delivered the said goods and chattels or any or either of them, or any part thereof to the said Plff, although often requested so to do, and afterwards, towit, on the 17 day of December 1833 aforesaid at the County of Hendricks and State aforesaid, converted and disposed of the said goods and chattels to his own use, to the damage of the said Moses Vice Plff of One Hundred dollars, wherefore he he brings his suit &c

66 Nave Atty for Plff

Afterwards, towit, on the Sixteenth day of April in the year of Our Lord one Thousand Eight Hundred and thirty four, at term of the Hendricks Circuit Court first aforesaid, the same being the third Judicial day of the term of said court before the honorable the Judges aforesaid Come the parties by their attorney and the defendant files his plea of not guilty in the word and figures following towit, Hendricks Circuit Court April Term 1834 John Richardson ads Moses Vice, Action on the case

And the defendent comes and defends the wrong and injury when &c. and says he is not guilty in manner and form as the plaintiff in his declaration hath complained against him and of this he puts himself upon the country &c

H, Brown Atty for Deft

And the plaintiff adds his similiter thereto, as follows, towit, and the plaintiff doth the like &c Nave for Plff

Wherefore let a Jury come, and the Sheriff as commanded brings here into court the Jurors of the Jury, towit, Lewis J Pounds David Carter, Joshua Pickett, Georg H Keller, John Bush, Elisha Rise, John C Shannon, James Nevels, Woodson Bryant, Larken R Campbell, James Anderson and Thomas Nichols, twelve good and discreet Householders of the County, who being elected, tried and sworn a true verdict to give upon the issue aforesaid Say we of the Jury find the defendant guilty as charged in the first Count of the said declaration, and find the value of the property destrained and sold to be fourteen dollars, and we find the defendant not guilty as to the second Count of the declaration And afterwards, towit, on the Seventeenth day of April in the year last aforesaid at the term aforesaid the same being the fourth Judicial day of said term, before honorable the Judges aforesaid Come the parties by their Attorneys and the defendant by his Council moves the Court in arrest of Judgment, and the premises being considered, said motion is overruled, and it is considered by the Court now

hire that the plaintiff recover of the defendant the sum of twenty Eight dollars, and also the sum of seventeen dollars fifty cents for his costs and Charges by him about his recovery in this behalf laid out and expended, and the defendant in mercy &c

And afterwards, towit, on the Eighteeth day of April in the year last aforesaid, the same being the fifth Judicial day of the term of the Court Court aforesaid, held in the town of Danville as aforesaid, before the Honorable Elijah Anderson and Thomas Lockhart Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks as aforesaid, Come the parties by their attorneys, and the defendant tenders to the Court a bill of exceptions taken in this cause to be signed, and the Plaintiff objects thereto, but the objection is over-ruled and the bill Signed, Sealed and ~~ordered~~ now here filed and ordered to be made apart of the record, which said bill of Exceptions is in the words and figures following, towit John Richardson ads Moses Vice, Case

Be it remembered that on the third day of the April Term of the Hendricks Circuit Court 1834 the above entitled cause came on to be tried, when the plaintiff introduced and offered as testimony certain Entries found on the docket of C Hartman Esqr an acting Justice of the peace of said County, and proved by said Hartman, who was who was introduced and Sworn as a witness, that said docket entries were made by him as such Justice of the peace, which docket entries are in the words and figures following, towit,

John Richardson vs Moses Vice, Action of trespass $21,62½

Entry	12½
Sumn	25
Sub	25
Writ	25
Const fee	6¼
by Sal	25
ord	25
Pff	8¾
atty fee	10
atty	50
Affidavit	6
Sdet	50
	1 00
	1 18¾
	1 00
	23¾
	3 12 2

On the 26th day of November 1833 came the said John Richardson & made application for a writ of distress & made & filed an Affidavit pursuant to, warrant issued to A Trotter const, warrant returned on the 17th day of Decmbr property Sold to the amount of four dollars & 25 cents, the plaintiff being notified, prove his claim he appeared with his testimony & after hearing the case it is therfore considered that the claim of the plaintiff against the deft the amount of twenty one dollars & sixty two & half cents & at pcent at Six percent till ped together costs of Suit & the deft in mercy the 13 1834 Christian Hartman to admission of which docket entries as testimony the defendant objected, which objection was overruled by the Court, and said docketts entries permitted to go to the Jury as testimony, to which decision and opinion of the Court the defendant excepts, the plaintiff then by the permission of the Court proceeded to prove by said Hartman that an affidavit was made by said Richardson for the purpose of obtaining a distress warrant, and that said affidavit is at his, the said Hartmans house in this County, and was not produced as testimony on said trial, and the Court decided that it was not necessary for the plaintiff to produce said affidavit or offer the same as testimony on said trial to sustain his action, to which decision and opinion of the Court the defendant excepts, the plaintiff then proceeded to prove by witness Hartman, that he as Justice of the peace as aforesaid issued at the request of the defendant Richardson and was afterwards delivered to Trotter a constable of said County; who afterwords returned said warrant to said Hartman with and endorsement thereon Setting forth the manner in which said warrant had been

executed by him the said Constable, and that he the said Hartman put the said Hartman warrant into a drawer with some other papers, the said Hartman further testified, that after the Commencement of this suit he serched in said drawer among said papers for said destrep warrant and did not find it, upon which testimony of the said Hartman and that said warrant is lost, cottrep was Served with a Subpoena duces Tecum to produce said warrant & docket, upon which testimony of the said Hartman in relation to the loss of said destrep warrant, the Court decided that the plaintiff might prove the contents of said destrep warrant and, The Return thereon, to which decision and opinion of the Court the defendant excepts, and the plaintiff proceeded to examin said witness Hartman, who testified that he could not recollect the contents of said distrep warrant without refferance to the Statute, which he believed he followed when he issued said writ, and then from the Statute which he to refresh his memory, explained to the Jury what he supposed to be the contents of said distrep warrant, and that it followed the forme in the Statute and describe the premises leased to said Rice to which the said deft. objected, the Court overruled the objection and the defendant excepts The plaintiff then offered an article of agreement, the execution of which was proved by Zimmerman the Subscribing witness thereto, which Article of agreement is in the words and figures following, towit.

to the admission of which as testimony & evidence the defendant Objected, and the Court overruled the objection, to which the defendant excepted, and said article went to the Jury as evidence — plaintiff then introduced Trotter the constable to whom the supposed distrep warrant was delivered to be executed, as a witness to prove his proceedings and return on said writ lost, to which the defendant objected, because said writ and return was better testimony, which objection the Court overruled, to which decission and opinion of the Court the defendant excepts, the said Trotter after being sworn, was examined by plaintiff and testified that he destrained about 5 acres of Corn, (might have been more or less) on the premises named in plaintiffs declaration, and that he had the same estimated and appraised by appraisers, who

executed by him the said Constable, and that he the said Hartman put the said Hartman warrant into a drawer with some other papers, the said Hartman further testified, that after the Commencement of this suit he Serched in said drawer among said papers for said destrep warrant and did not find it, upon which testimony of the said Hartman and that said warrant is lost, cotteep was Served with a Subpoena duces Tecum to produce said warrant & docket, upon which testimony of the said Hartman in relation to the loss of said destrep warrant, the Court decided that the plaintiff might prove the contents of said destreps warrant and, The Return thereon, to which decision and opinion of the Court the defendant excepts, and the plaintiff proceeded to examin said witness Hartman, who testified that he could not recollect the contents of said distrep warrant without refferance to the Statute, which he believed he followed when he ispeed said writ, and then from the Statute which he to refresh his memory, explained to the Jury what he supposed to be the contents of said distrep warrant, and that it followed the form in the Statute and describe the premises leased to said Rice to which the said deft. objected, the Court overrules the objection and the defendant excepts The plaintiff then offered an article of agreement, the execution of which was proved by Zimmerman the Subscribing witness thereto, which Article of agreement is in the words and figures following, towit.

to the admission of which as testimony & evidence the defendant Objected, and the Court overruled the objection, to which the defendant excepted, and said article went to the Jury as evidence — plaintiff then introduced Trotter the constable to whom the Supposed distrep warrant was delivered to be executed, as a witness to prove his proceedings and return on said writ lost, to which the defendant objected, because said writ and return was better testimony, which objection the Court overruled, to which decission and opinion of the Court the defendant excepts, the said Trotter after being sworn, was examined by plaintiff & testified that he destrained about 5 acres of Corn, (might have been more or less) on the premises named in plaintiffs declaration, and that he had the same estimated and appraised by appraisers, who

estimated the quantity of Corn to be about ten bushels, and valued the same at the sum of Eight dollars, and that afterwards sold said Corn for four dollars twenty five cents, the said Richardson was the purchaiser Witness also said that there might have been one hundred bushels of Corn on the said Supposed 5 acres ground, Corn was worth 25 cents per bushel, and he believed there was 20 bushels on each acre, the levy and sale was made on the 16th or 17th of December 1833 The plaintiff also proved by said Witness Zimmerman, that Richardson, the defendant admitted to witness, that he said Richardson got said Corn, The docket entries above set forth, and the article of agreement above in the bill of exceptions inserted was all the written testimony offered or given in evidence on said trial, and the destress warrant was not produced on account of its loss, there may be some other Statements made by the witnesses who testified on the trial. that is not recollected

The defendant then introduced a witness and offered to prove that the plaintiff, before the time that said Supposed destress was made, was removing a part of his crop off the premises, to the admission of which testimony the plaintiffs objected and the court Sustained the objection, to which the decision and opinion of the Court the defendant excepts. After the foregoing testimony had gone to the Jury, and argument by councel, the defendant prayed the Court to charge the Jury 1st that to sustain this action the plaintiff is bound to prove that the defendant made an affidavit pursuant to the Statute to obtain a destress warrant — which the court refused to give. 2d and that that affidavit must be produced unless it is lost — which 2d Charge asked the court also refused to give, to which refusals and decisions the defendant excepts. 3d That the writ and the Constables return ought to be in evidence — which was given in charge with this addition, unless lost 4th That the docketentries of Hartman are not sufficient to prove the allegations in said declaration, relating to the destress which was given with the following addition, but are submitted to the Jury in connexion with other testimony to sustain the plaintiffs declaration — to which additional Charge so given the defendant excepts. 5th That if said docket Entries are in evidence the must be taken together, and that the proof of Richardsons Claim to rent before said Justice may be considered by the Jury as evidence to shew rent due, which last Charge the court refused to give, — to which refusal and decision of the court the defendant excepts. 6th That if this is a case in which the Justice could not issue a destress warrant because payable in Corn, the Justice had no Jurisdiction and this action cannot be sustained; which last charge the court refused to give — to which refusal and opinion of the court the defendant Excepts. The defendant further requested the court to charge the Jury, That they could not give damages in this case, which was given, and the court then further Charged the Jury, that the plaintiff is bound to shew that the defendant caused and procured a destress warrant to issue — the court further Charged that docket entries are admitted to prove in connexion with other Testimony that the destress was made by the procurement and at the instance of the defendant

and that the Judgment rendered by the Justice is ~~—~~ a nullity and proves nothing, to all of which charges so given by the Court without request, the defendant excepts. The plaintiff then asked the Court to give the following charge which was given 1st That by the contract of the parties the rent was not due until 1st of January 1834. and that Richardson had no right to distrain until then if at all. 2d No distress will lie on this contract. 3d That evidence that the distress and sale were under Color of law, and no rent was then due is sufficient for plaintiff. 4th That Capias or affidavit, warrant &c are not necessary to establish the distress. all of which foregoing charges so asked by plaintiff were given, to all of which the defendant excepted, except the second. All of which foregoing decisions and opinions of the Court so made and given, and the several exceptions above taken by the defendant on said trial, the prays may be signed and sealed by the Court and made part of the record which is done accordingly

Elijah Anderson (Seal)
Thomas Lockhart (Seal)

Pleas before the Honorable Bethuel F Morris President Judge of the ~~Fifth~~ fifth Judicial Circuit of the State of Indiana and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court began and held at the Court house in the town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four, towit,

Tatton W Joney
vs
Joshua Pickett & George H Keller } Trespass &c

Be it remembered that heretofore, towit, on the twenty Sixth day of March in the aforesaid year, Tatton W Joney the above entitled Plaintiff by C. C. Nave, his Attorney filed in the Clerks office of the Hendricks Circuit Court &c in the above cause the following declaration, towit, State of Indiana Hendricks County ss Tatton W Joney vs Joshua Pickett & George H Keller. The State of Hendricks Circuit Court April Term 1834 Tatton W Joney Plff by Nave his Attorney Complains of George H Keller and Joshua Pickett defendants in Custody &c of a plea of Trespass, assault and battery and false imprisonment &c For that the said George H Keller and Joshua Pickett defts on the twelfth day of March AD 1834 at the County of Hendricks and State of Indiana, with force and arms, did make an assault upon him the said Tatton W Joney Plff, and did then and there beat, bruised and ill treated him the said Tatton W Joney Plff, and then and there imprisoned him the said Tatton W Joney Plff, and kept and detained him in prison there without any reasonable probable cause whatsoever for a long time, towit, for the space of two days then next following

Contrary to the laws of Indiana and against the will of the said Tatton W Toney, to the damage of the said Tatton W Toney, One Thousand dollars and therefore he brings his Suit &c C.C. Nave Atty for Plff

And afterwards towit on the Seventeeth day of April in the year aforesaid the same being the fourth Judicial day of the term aforesaid of the Court aforesaid before the Honorable the Judges aforesaid Come the parties by their attorneys, and the defendants file each a seperate plea of not guilty, which are as follows, towit, 1st Keller's Plea, George H Keller + Joshua Pickett vds J W Toney In Trespass &c

Defendant George H Keller comes and defends the force and injury when where &c and for Plea herein Says he is not guilty in manner and form as Plaintiff in Pleading hath above alledged against him and this he prays may be inquired of by the Country

John Eccles P. D.

and the said Plaintiff adds his Issue thereto. as follows towit And the plaintiff doth the like Nave Atty for Plff

The Plea of defendant Pickett as follows, towit, Joshua Pickett vds J. W. Toney; A B & false imprisonment. The defendant comes and defends the force and injury when where &c and says actio non, because he says he is not guilty in manner and form as Plaintiff hath above declared against him and this he prays may be inquired of by the Country J. Eccles P. D.

to which plea the Plaintiff adds his issue as follows towit And the Plaintiff doth the like Nave atty for Plff

And the defendant Pickett, files a Special plea which is in the words and figures following towit J W Toney vs Geo H Keller and Joshua Pickett. Hendricks Circuit Court, at the April term thereof 1834 In T. A. B. and false imprisonment — The Defendant Joshua Pickett comes and defends the force and injury when Where &c and for further and second Plea in this behalf Says That as to the making the assault and committing the battery in the Plaintiffs declaration mentioned, and as to the force and imprisoning the said plaintiff, and Keeping and detaining him in prison for the said Space of time in the said declaration mentioned by the said defendant above supposed to have been done. the said defendant by leave of the Court here for this purpose first had, and obtained according to the form of the Statute in Such Case made and provided. Say that the said plaintiff ought not to have or maintain his aforesaid action thereof against him, because he Says, that before the said time when and in the said declaration mentioned, towit, on the first day of March 1834 George H Keller one of the defendants in the said declaration mentioned filed in the Office of the defendant Pickett then and still an acting Justice of the Peace in and for the County of Hendricks and Township of Franklin according to the laws of of the State of Indiana in Such Case made and provided, a certain note made and drawn made and due by the plaintiff to one of said County for twenty five dollars dated on the first day of March 1834 for collection: when and where the plaintiff then and there, towit, on the day and year aforesaid at the County aforesaid voluntarily and without Proces, according to the Statute in Such Case made and provided, Came before the Defendant Picket

contrary to the laws of Indiana and against the will of the said Tatton W Toney, to the damage of the said Tatton W Toney, One Thousand dollars and therefore he brings his Suit &c C.C. Nave Atty for Plff

And afterwards towit on the Seventeeth day of April in the year aforesaid the same being the fourth Judicial day of the term aforesaid of the Court aforesaid before the Honorable the Judges aforesaid Come the parties by their attorneys, and the defendants file each a seperate plea of not guilty, which are as follows, towit, 1st Keller's Plea, George H Keller + Joshua Pickett vs JW Toney In Trespass &c

Defendant George H Keller comes and defends the force and injury when where &c and for Plea herein Says he is not guilty in manner and form as Plaintiff in Pleading hath abovd alledged against him and this he prays may be inquired of by the Country

John Eccles P. D.

and the said Plaintiff adds his Issue thereto. as follows towit And the plaintiff doth the like Nave Atty for Plff

The Plea of defendant Pickett as follows, towit, Joshua Pickett vs JW Toney; AB & false impresonment. The defendant comes and defends the force and injury when where &c and says actis non; because he says he is not guilty in manner and form as Plaintiff hath abovd declared against him and this he prays may be inquired of by the Country J. Eccles P. D.

to which plea the Plaintiff adds his Issue as follows towit And the Plaintiff doth the like Nave atty for Plff

And the defendant Pickett, files a Special plea which is in the words and figures following towit JW Toney vs Georg H Keller and Joshua Pickett. Hendricks Circuit Court, at the April term thereof 1834 In T. A.B. and false impresonment — The Defendant Joshua Pickett comes and defends the force and injury when where &c and for further and second Plea in this behalf Says that as to the making the assault and committing the battery in the Plaintiffs declaration mentioned, and as to the force and impresoning the said plaintiff, and Keeping and detaining him in prison for the said Space of time in the said declaration mentioned by the said defendant abovd supposed to have been done. the said defendant by leave of the Court here for this purpose first had, and obtained according to the form of the Statute in Such case made and provided. Say that the said plaintiff ought not to have or maintain his aforesaid action thereof against him, because he says, that before the said time when and in the said declaration mentioned, towit, on the first day of March 1834 George H Keller one of the defendants in the said declaration mentioned filed in the Office of the defendant Pickett then and still an acting Justice of the Peace in and for the County of Hendricks and Township of Franklin according to the laws of of the State of Indiana in Such case made and provided, a certain note made and executed made and due by the plaintiff to one of said County for twenty five dollars dated on the first day of March 1834 for collection: when and where the plaintiff then and there, towit, on the day and year aforesaid at the County aforesaid voluntarely and without proces, according to the Statute in Such case made and provided, came before the Defendant Picket

contrary to the Laws of Indiana and against the will of the said Tatton W Toney, to the damage of the said Tatton W Toney, One Thousand dollars and therefore he brings his suit &c C.C. Nave Atty for Plff

And afterwards towit on the Seventeeth day of April in the year aforesaid the same being the fourth Judicial day of the term aforesaid of the Court aforesaid before the Honorable the Judges aforesaid Come the parties by their attorneys, and the defendants file each a seperate plea of not guilty, which are as follows, towit, 1st Keller's Plea, George H Keller & Joshua Pickett vs JW Toney In Trespass &c

Defendant George H Keller comes and defends the force and injury when where &c and for Plea herein Says he is not guilty in manner and form as Plaintiff in Pleading hath above alledged against him and this he prays may be inquired of by the Country

John Eccles P. D.

and the said Plaintiff adds his Issue thereto, as follows towit And the Plaintiff doth the like Nave Atty for Plff

The Plea of defendant Pickett as follows, towit, Joshua Pickett vs JW Toney; A B & false impresonment. The defendant comes and defends the force and injury when where &c and says actio non, because he says he is not guilty in manner and form as Plaintiff hath above declared against him and this he prays may be inquired of by the Country J. Eccles P. D.

to which plea the Plaintiff adds his issue as follows towit And the Plaintiff doth the like Nave atty for Plff

And the defendant Pickett, files a Special plea which is in the words and figures following towit JW Toney vs George H Keller and Joshua Pickett. Hendricks Circuit Court, at the April term thereof 1834 In T. A.B. and false impresonment — The Defendant Joshua Pickett comes and defends the force and injury when where &c and for further and second Plea in this behalf Says that as to the making the assault and committing the battery in the Plaintiffs declaration mentioned, and as to the force and impriseoning the said plaintiff, and keeping and detaining him in prison for the said Space of time in the said declaration mentioned by the said defendant above supposed to have been done. the said defendant by leave of the Court here for this purpose first had, and obtained according to the form of the Statute in such case made and provided. Say that the said plaintiff ought not to have or maintain his aforesaid action thereof against him, because he says, that before the said time when and in the said declaration mentioned, towit, on the first day of March 1834 George H Keller one of the defendants in the said declaration mentioned filed in the Office of the defendant Pickett then and still an acting Justice of the peace in and for the County of Hendricks and Township of Franklin according to the laws of of the State of Indiana in such case made and provided, a certain note made and executed made and due by the plaintiff to one of said County for twenty five dollars dated on the first day of March 1834 for collection: when and where the plaintiff then and there, towit, on the day and year aforesaid at the County aforesaid voluntarely and without Proces, according to the Statute in such case made and provided, Came before the Defendant Picket

at his office in the Township of Franklin, and County aforesaid and then and there voluntarily, and upon oath according to law Confessed Judgment on said note for $25 due as aforesaid. And afterwards, towit, on the first day of March 1834 the defendant Pickett Justice of the peace as aforesaid then and there issued a writ commonly called a fiere facias, dated on the day and year aforesaid, against the goods and chattles of the said Plaintiff, which writ of fiere facias aforesaid was placed in the hands of Thos McWells then a constable duly qualified in and for Franklin Township in the County of Hendricks aforesaid to be executed, by the defendant Pickett according to law by which said writ of fiere facias the said Constable was commanded to make the said debt, interest and costs of suit, then and there due from the said Plaintiff to the said George H Keller which writ then and there issued and delivered as aforesaid, on the day and year aforesaid to the constable aforesaid, was on the day of next following returned by said Constable to the office of the defendant Pickett Justice of the peace as aforesaid, endorsed by said constable no property found And afterwards towit on the day of 1834 the defendant Pickett, after the return of the fiere facias aforesaid, made his certain other writ in writing, under his hand and seal of Office of Justice of the peace as aforesaid, directed to any Constable of Franklin Township in the County aforesaid commonly called a capias adsatisfaciendum, by which said writ the said Constable was then and commanded to take the body of the said Plaintiff, and have his body before the said defendant Pickett at his office to answer and satisfy the said debt, interest and costs of suit as aforesaid, which writ of capias ad satisfaciendum was delivered to A. Snoddy, then and there an acting and duly qualified Constable of Franklin Township in the County of Hendricks aforesaid, who on the day of served the said writ as therein commanded, and the body of the said plaintiff and brought him before the said defendant Pickett at his office in the Township and county aforesaid, towit on the day of next after to answer George H Keller, the debt interest and costs in the said writ mentioned And the defendant Pickett so being Justice of the peace as aforesaid, and before the return day of the said writ of capias adsatisfaciendum, at the Township and county aforesaid, and when the body of the said Plaintiff was then there brought before him as aforesaid according to the statute in such case made made and provided, towit, on the day last aforesaid made his certain warrant under his hand and seal of office of Justice of the peace as aforesaid at the Township and County aforesaid directed to the constable aforesaid commanding said Constable to deliver the body of the said Plaintiff to the common Jail of Hendricks county, there to remain in said Jail, until the said debt interest and costs were paid, or until the plaintiff should be otherwise discharged by due course of law, By virtue of said several writs and warrants, the Constable aforesaid, under and by virtue of the commands of said writ, and before the time appointed for the return of

Said writ, towit, on the day and year aforesaid, made his certain warrant under his hand and seal of Office of Justice of the peace as aforesaid, at the Township of County aforesaid, directed to the Constable aforesaid, Commanding said Constable to deliver the body of the said Plaintiff to the Common Jail of Hendricks County, there to remain in said Jail, untill the said debt, interest and costs were paid, or untill the plaintiff should be otherwise discharged by due course of law, in Plaintiffs declaration mentioned, delivered to the said Constable to be executed aforesaid, and within the County of Hendricks and Township of Franklin as aforesaid, took and arrested the body of the said Plaintiff, and Kept and detained him the said plaintiff in the said declaration mentioned in the Custody of the said Snoddy Constable as aforesaid, at the suit of the said George H Keller, for the cause aforesaid for the Space of time aforesaid in the said declaration mentioned, as it was lawful for him to do for the cause aforesaid, and the defendant further avers, that in order to keep the said plaintiff in Custody under the writ aforesaid, the defendant use no more force or violence than could avoid on such occasion, which are the supposed trespasses in the introductory part of this plea mentioned. And whereof the said plaintiff hath complained against him the said defendant and this he is ready to verify wherefore &c &c Eccles & Brown P.D.

And the Plaintiff files his demurrer thereto, as follows, towit, Hendricks Circuit Court April Term 1834 J W Toney vs Joshua Pickett. And the said Plaintiff as to the said said plea of said defendant Pickett by him Secondly above pleaded Saith that the same, and the matters therein contained, in manner and form as the same are above pleaded and set forth are not sufficient in law to bar or preclude him the said Plaintiff from having or maintaining his aforesaid action thereof against the said defendant Pickett, and that he the said Plaintiff is not bound to by law to answer the same, And this he the said Plaintiff is ready to verrify. Wherefore, by reason of the insufficiency of the said plea in this behalf the said Plaintiff prays Judg=ment and his damages by him sustained, on occasion of the committing of the said trespases, to be adjudged to him &c Nave Atty for Plff

And the defendant files his Joinder to the demurrer of the said Plaintiff as follows towit. And the said Deft Pickett says that his said plea by him secondly above pleaded, & the matters therein contained, in manner & form &c are good & sufficient in law to bar said Plaintiff (Toney) from mai=ntaining his said &c Wherefore he prays Judgment &c I Eccles Atty for Deft

And the premises being seen and inspected Considered by the Court, the said demurrer is sustained, And by leave of the Court the defendant withdraws his Joinder therein, and files an amended plea, which said amended plea is in the words and figures following, towit, George H Keller & Joshua Pickett ads J W Toney. Trespass Va et armis The Defendant Joshua Pickett Comes and defendeend the force & injury when &c And for further and Second Plea in this behalf, that as to making and assault and ill treating him the said Toney, and the beating, bruising and imprisoning him the said Toney, and detaining him the said Toney as alledged in the said decl=aration, Say that the said Toney plaintiff ought not to have and maintain his said action thereof against him the said Picket, because he says that before the said time, when he in the said declaration mentioned, towit, on the day of 1834 was and acting Justice of the peace in & for the Township of Franklin in the County of Hendricks duly commepion

and qualified according to the Statute, to act as such, and had then and there power and authority by the Statute in such case made and provided, to try and determine actions of debt and spemmet & for sums under one hundred dollars, and also to receive confesions and render Judgments thereon agreably to the Statute in such case made and provided, And the said Joshua Pickett further saith that afterwards, towit, on the day of he the said Pickett then and still being such Justice of the peace as aforesaid, the said J.W. Toney Plaintiff in this suit voluntarely appeared before this defendant, Justice of the peace as aforesaid at his office in the County and Township aforesaid for the purpose of confesing a Judgment in favour of one George H Keller for a demand of twenty five dollars debt and that this defendant Justice of the peace as aforesaid, then and there administered an oath and sworn the said J.W Toney, that he did not confes Judgment in favour of the said George H Keller to defraud any of his said Toneys Creditors, but that he the said Toney was justly indebted to the said Keller in the full amount for which he wished them to confes a Judgment on the particular cause of action then shown to this defendant Justice of the peace as aforesaid, which was then and there filed, whereupon, this defendant acting as such Justice of the peace as aforesaid, after administering said oath as aforesaid, received and entered up a Judgment by confession agreeable to the Statute in such case made and provided, against the said J.W Toney Plff as aforesaid in this suit in favour of the said George H Keller for the sum of twenty five dollars with interest and costs of suit. And afterwards, towit on the first day of March 1834 the said defendant Justice of the peace as aforesaid upon the following writ of fiere facias on said Judgment, towit, State of Indiana Hendricks County Set, To J.M. Wells constable of Franklin Township, greeting; Whereas George H Keller assignee of Drewery Hodges obtained a Judgment against J.W Toney for twenty five dollars and with cost cents before me Joshua Pickett a Justice of the peace for said Township on the 1st day of March 1834 You are therefore commanded of the goods and chattels of the said defendant. to cause to be made the said Judgment, interest and costs, and accruing interest and costs in full by distress and sale thereof, returning the overpluss if any to the said defendant, and of this writ make due Return in thirty days, Given under my hand and seal, this 1st day of March 1834 Joshua Pickett Justice of the peace (Seal)
Which writ was on the same day delivered to the Constable of said Township J.M. Wells, and endorsed by him. Came to hand this first day of March 1834. And afterwards towit on the day of returned by him no property found in my County
And afterwards, towit, on the 12th day of March 1834 this defendant still being Justice of the peace as aforesaid, did then and as such Justice ipsue a writ of Capias adsatisfaciendum on the Judgment aforesaid, directed to any Constable of Hendricks County & Franklin Township, in the words and figures following, towit, State of Indiana Hendricks County set To any Constable of Franklin County Greeting whereas George H Keller obtained a Judgment against J.W Toney before Joshua Pickett a Justice of the peace for said Township for twenty five dollars with interest thereon at the

rate of Six Percent per annum, from the 1st day of March 1834 untill paid together with Costs of Suit Tax at 97 Cents on the first day of March 1834 You are therefore forthwith commanded, that you take the body of the said J.W. Toney to Satisfy to the said George H Keller the debt interest and costs and accruing costs, and commit said J.W Toney to the Common Jail of said County there to be detained untill said debt, interest and costs be fully paid and Satisfied or he be otherwise duly discharged, and of this writ make legal Service and due return Given under my hand and Seal this 12th day of March 1834 Joshua Pickett J.P. Seal

Which said writ was on the same day and year last aforesaid, deli-vered to Absolam Snoddy, then and Still an acting Constable for Franklin Township in the County of Hendricks aforesaid to be executed according to the Command of said writ. Which are all the said supposed trespases and inpresonments in the introductory part of this plea mentioned and whereof the said plaintiff hath complained against the said defen-dant, and this he is ready to verrefy wherefore &c J Eccles P.D.

to which the Plaintiff files a demurrer, as follows, towit, And the said plaintiff comes, and as to the said plea lastly above pleded, says precludi non, because he says that said plea & the matters therein contained are not Sufficient in law to bar said plaintiffs action, and that he is not bound by Law to answer the same, Wherefore he prays Judg-ment &c Nave for Plff

and the defendant files his Joinder thereto, as follows towit And said defendant Pickett comes and says actio non &c because he says that said plea is Sufficient in law to bar said plaintiffs action and that he is bound to answer the same, wherefore he prays Judgment &c J Eccles P.D.

and the premises being Seen, it is considered by the court, that the said amended plea & the matters therein contained as pleaded are not Sufficient in law to bar said Plaintiff from maintaining his action against the said defendant, and the Sheriff as he is commanded brings hereunto court the Jurors of the Jury towit Benjamin B Smith, William M Varner, Nicholas Yount, James Anderson, John Bush, John C Shannon, David Carter, James Nevels, James Hayden, Henry G Todd, Woodson Bryant and John Zimmerman twelve good and discreet Householders of the County, who being elected tried and Sworn a true verdict to give upon the ipsue aforesaid; And hearing the evidence retire to their room under the charge of a Sworn officer of this court And afterwards, towit, on the Eighteenth day of April in the year of our Lord one Thousand Eight Hundred and thirty four the same being the fifth Judicial day of the April Term of the Hendricks Circuit court in said year, before the Honorable the Elijah Anderson & Thomas Lockhart Esqrs Associate Judges of said Court Come the parties by their attorneys, and the Jurors of the Jury heretofore, elected tried and Sworn a true verdict to give upon the ipsue aforesaid in this cause heretofore made & Submitted to them, and say we of the Jury find the defendant Pickett guilty, and assess the plaintiffs damages at fourteen dollars and costs of Suit It is therefore considered by the Court now here that the Plaintiff recover of the defendant Pickett the sums of fourteen dollars and also the sums of dollars and cents for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c And it is further considered by the court now here that the

Defendant George H Keller recover of the plaintiff Tatton W Toney the
Sum of dollars and cents for his costs and charges by
him laid out and expended about his defence herein and the Plaintiff
in mercy &c

Pleas before the Honorable Elijah Anderson & Thomas
Lockhart Esquires Associate Judges of the Hendricks Circuit Court, within
and for Hendricks County of the April Term of said Court in the year
of our Lord One Thousand Eight hundred and thirty four Court

The State of Indiana
vs
Christian C Nave

Indictment for Gaming

Be it remembered that heretofore
Court at a Term of the Hendricks Circuit Court began and held at the Court
House in the Town of Danville on Monday the fourteenth day of April
in the year aforesaid, before the Honorable Bethuel F Morris President
Judge of the fifth Judicial Circuit of the State of Indiana, and
Thomas Lockhart & Elijah Anderson Esquires Associate Judges as aforesaid, by the oath
of Gideon Wilson Foreman and his fellows Warner Hockett, Jere-
miah Hadley, Charles Fuller, George W Rees, Preston Pennington, Isaac
Wilcox, Hiram Hunt, David Maddock, Winn Jones, Moses Parks Jr.
Joel Jeff, David Sparks, John Merrett, George Peck & Thomas J
Walker, Grand Jurors for the State of Indiana, impannelled, charg
and sworn to enquire in and for the body of the County of Hendricks
on behalf of the said State of Indiana, present as follows, to wit,
State of Indiana Hendricks County ss. Hendricks circuit
Court of the April term thereof Eighteen hundred and thirty four
The Grand Jurors for the State of Indiana, impannelled, sworn and charged
to enquire within and for the County of Hendricks aforesaid
upon their oath present that Christian C Nave late of said County
Gentleman on the twenty seventh day of December in the year
Eighteen hundred and thirty three with force and arms at the
County aforesaid did then and there lose to and pay over to one
Robert Long, then and there being two dollars in money, by
then and there betting with the said Robert Long, at and upon a
certain game and wager then and there to be determined by, with
at and upon a Rolette Table, then and there being contrary to the
form of the Statute in such case made and provided, and against
the peace and dignity of the State of Indiana. And the Jurors
aforesaid upon their Oath aforesaid do further present that the
said Christian C Nave on the day and year aforesaid at the
County aforesaid, did then and there win of and take from
one Robert Long, then and there being two dollars in money by then
and there betting with the said Robert Long, at and upon a certain game
and wager then and there to be determined by, with, at and upon a Rolette Table
contrary to the form of the Statute in such case made and provided, and against
the peace and dignity of the State of Indiana W Herod prosecutor

Which said bill of Indictment was on the Eighteenth day of April in the year aforesaid returned into Court with the followlowing indorsement thereon, towit, "A True Bill Gideon Wilson forman of the Grand Jury" And afterwards, towit, on Saturday the nineteenth day of April in the year aforesaid, at the term of the Court aforesaid, the same being the Six Judicial day of April term of said Court before the Honorable Elijah Anderson and Thomas Lockhart Esquires Apociate Judgs as aforesaid Come Herrord who prosicutes the pleas of the State, and the defendant comes also, and being arraigned on ~~on~~ said indictment, Saith he is guilty as charged in the Second Count in said Indictment, It is therefore considered by the court now here that said Christian C Nave do make his fine to the State of Indiana in the Sum of One dollar, and that he pay the costs of this prosicution, And it is Ordered that he Stand committed in the Custody of the Sheriff until the said fine and costs are paid or replevied. And as to the first Count in said Indictment, the prosicutor for the State Saith he will no further prosicute ~~for the State~~ the said Indictment. Ordered therefore that the said defendant as to the said first Count go hence without day

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Pleas Before the Honorable Bathuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires Apociate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, of the April Term of said Court, began and held at the Court house in the town of Danville, in the year of Our Lord One Thousand Eight hundred and thirty three, towit,

James L Givan vs James McTeel } Dispeizen

Be it remembered that heretofore, towit, on the thirtieth day of July in the year of Our Lord One Thousand Eight hundred and thirty two the above named James L Givan, by Nave & Gregg his attorneys, filed in the Clerks Office of the Hendricks Circuit Court the following declaration in the above entitled cause, towit, State of Indiana Hendricks County, Hendricks Circuit Court October Term in the year Eighteen hundred and thirty two, James L Givan complains of James McTeel in Custody &c. of a plea of Dispeizen, for that the said James L Givan is the rightful owner, and on the first day of June 1832 was the rightful owner of and entitled to the possesion of lot number Six in Square number fifteen in the town of Danville in the County of Hendricks aforesaid which said Lot of Land, and all the appurtenances thereunto belonging, the said plaintiff was entitled to by virtue of a perchaise of the same made at ~~a~~ Sheriff's Sale on the nineteenth day of May in the year of our Lord 1832 by Thomas Nichols Sheriff of Hendricks County, which said Sheriffs Sale was made by virtue of four Executions Issued against the said James McTeel in favour of James Matlock, James L. Givan &c. Pemberton & Dicken and John C Julien on Judgments or attachments against the said James McTeel in the Hendricks Circuit Court by virtue of which said Judgments & Executions the said Thomas Nichols as Sheriff of Hendricks County made the said Sale of the said Lot of Ground as the property of the said James McTeel on the day and

year aforesaid, at which said Sale the said plaintiff became the purchaser as the highest bidder for the Same, and by virtue of the said Sale the said Thomas Nichols as Sheriff aforesaid Executed and delivered to said plaintiff a Deed in fee Simple for all the right and title of the said James McTeel in and to the said Lot of Ground aforesaid, on the 25th day of May 1832. And that on the first day of June 1832 as aforesaid, the said plaintiff being So Seized and possessed of the said Lot of Ground as aforesaid, and being So Seized and possessed of the said Lot of Ground, together with the appurtenances aforesaid. And afterwards to wit, on the day and year aforesaid at the County of Hendricks aforesaid, the said James M Teel defendant entered thereon, And dispeized said plaintiff thereof from the possession of the said Lot of Ground, and the appurtenances thereon, and put him the said Plaintiff Out therefrom, and he the said defendant has ever since continued to deforce the said plaintiff thereof, and hold him Out therefrom, And take and receive the rents and profits thereof to himself. Whereupon the said plaintiff demands Seizin and possession of the said lot of Ground, and one hundred dollars damages for the detention, rents and profits of the same. Therefore he brings Suit &c

Nave & Gregg for plff

And afterwards, to wit, on the Eighteenth day of October in the year of Our Lord One Thousand Eight hundred and thirty two, at a term of the Hendricks Circuit Court began and held at the Court House in the town Danville, by the honorable the Judges aforesaid, the same by the fourth Judicial day of the term of the Court last aforesaid, Come the parties by their attorneys and the defendant files his two Several pleas, which said pleas are in the words and figures following, to wit, to which the plaintiff files his demurrer, and time is given. And afterwords, to wit, on the Seventeenth day of April in the year of Our Lord One Thousand Eight Hundred and thirty three, at a term of the Hendricks Circuit Court, began and held at the Court house in the town of Danville by the honorable the Judges aforesaid, the same being the third Judicial day of the term of the Court last aforesaid, Come the parties by their attorneys and the defendant, with the leave of the Court withdraws his pleas heretofore filed, and now files his plea of not Guilty, and also his three Special pleas verified by an affidavit, which said Pleas are in the words and figures following, to wit, And the said James McTeel defendant Comes and says actio non, because he says, that he is not guilty in manner and form as the said plaintiff hath complained against him, And of this he puts himself upon the Country, and the plaintiff doth the like &c

And now here comes Frederick McTeel, the Landlord of the said James M Teel the defendant in this Cause who now is, and for a long time before the Commencement of this Suit was the tenant of this said Frederick Teel, who at the Commencement of this Suit at at this time, was, and is the rightful, legal owner of the premises in the plaintiffs declaration mentioned, and who is possessed of the same and has a right to the possession of the same, and has a theref according to the law of the land, and defends the wrong and injury in this Cause by permission of the said Court, and in conjunction with the said James M Teel defendant, Says actio actio now because he says, that he nor the said James M Teel

are not guilty in manner and form as the said plaintiff in his said declaration hath complained against him or them, and of this he and they pray may be inquired of by the Country. and the plaintiff doth the like

And the said James M Teel defendant, and Frederick Teel, the Landlord and tenant as aforesaid of the premises in the said plaintiffs declaration mentioned Come and defend the wrong and injury when &c. and for. def= =ence or plea to the said plaintiffs declaration mentioned, Say actio non because they Say, that at the time and place in the said plaintiffs declaration men= =tioned, he the said plaintiff was not seized or possessed of the premises in the said plaintiffs declaration mentioned, in manner and form as is therein stated and set forth, and of this they put themselves upon the Country &c

And for other and further plea in this behalf the said defendants Say that the said James M Teel is not the rightful possessor of the premises in the said plaintiffs declaration mentioned, but the tenant of the said Frederick Teel who is the rightful and legal owner of the said premises, and this he is ready to verify, wherefore he prays Judgment &c Ray & Eccles Attys for defts

The State of Indiana Hendricks County ss Be it remembered, that on this third Judicial day of said Court, personally appeared in open Court and at the filing of the pleas in this Cause James M Teel one of the defendants in this Cause, who being duly Sworn according to law, deposeth and saith, that at the commencement of this Suit, and before and ~~at the~~ Since and at this time, the relation of landlord and tenant exists and existed between the said Frederick Teel, and this deponent James M Teel, the said Frederick being then and there the Landlord of the said James the Tenant of the said Frederick, and further saith not James M Teel

Sworn to & Subscribed in Court before me this 18th 1832 D.T. Hadley Clk

and the Plaintiff files his demurrer to the said Special pleas of the defendant, as follows, to wit, James L Givan vs James M Teel In Dessezen And the said Plaintiff for answer to the said, Second third and fourth pleas of the defendants, say that the same and the matters and things therein alleged in manner & form as the same are therein Set fourth are insufficient in law, for the said defendants to have or preclude the said plaintiff of his said action. and this the said Plaintiff is ready to verify wherefore he prays Judgment &c

Gregg & Nave for Plff

And the defendant files his Joinder in demurrer, as follows, to wit, And the said defendant Says that the said Second, third & furth pleas and the matters and things therein Stated and Set fourth, are good & Sufficient in law to bar the said action, and this he is ready to verify

Ray & Eccles for Defts

And the premises being Seen it is considered by the Court that the said pleas of the defendant are not sufficient in law to bar and preclude the action of the said plaintiff. And the Sheriff as he is comman= =ded brings hereinto Court the Jurors of the Jury, to wit, James Hayden Joseph Herron, John Cash, Jesse Ragan, James McCown, Benjamin R Smith, Henry Miller, William Hoozier, Charles C Bell, Henry Rammel, Moses Dooly and James Logan twelve good and descreet Householders of the County, who are elected tried and Sworn a true verdict to give upon the aforesaid, And after the plaintiff closes his evidence in this behalf the defendant files his demurrer to the said

evidence Which is in the words and figures following Towit
The State of Indiana Hendricks County. James S Givan vs James M Teel Dispenser
Be it remembered that on this third Judicial day of the said Court, this Cause came on to be heard, and was heard, and a Jury was empannelled, and Sworn to try the said Cause, and the plaintiff proceeded to offer in evidence to prove his Case the following testimony or proof, towit, 1st Sheriffs deed marked A from the Sheriff of the said County of Hendricks to the said James S. Givan the plaintiff which deed is in the words and figures following, towit, Whereas on the third day of February in the year of Our Lord One Thousand Eight Hundred and thirty two James Matlock of Hendricks County, filed his Claim and affedavid with his bond, and Sued out a writ of Domestic Attachment against James M Teel, of said County, and which said writ was levied on two Lots in the town of Danville, Known on the ptat of said town as Lots Number 5 and 6 in Square number 15, in said town, And on the 18th day of April at a term of the Hendricks Circuit Court, held at the Court House in the town of Danville, a Judgment was rendered on the writ of Attachment for $30 97½ in favour of said James Matlock against the said James M Teel, together with Costs of said proceedings, And after the said writ was Sued out, towit, on the fifteenth day of February Eighteen hundred and thirty two James S Givan Vs. filed his affedavid, Claim and bond on which he recovered a Judgment, on the 18th day of April 1832 for the Sum of 2,27, 62½ cents, and Costs against the said James M Teel, under the proceedings Commenced by the said James Matlock, and on the 29th day of February 1832 Pemberton S Dicken filed his affedavid, Claim and bond, on which he recovered a Judgment on the 18th day of April 1832 for $28,27 cents, and Costs against the said James M Teel under the proceedings Commenced by the said James Matlock, And on the Second day of March 1832 John C Julien filed his Claim, affedavid and bond and recovered a Judgment for $30,48 cents, with Costs against the said James M Teel, under the proceedings Commenced by the said James Matlock, And afterwords, towit, on the twenty third day of April 1832 four Several Executions issued against the said James M Teel, directed to the Sheriff of said Hendricks County One in favour of the said James Matlock for the said Sum of $30,97½ cents and Costs, And one in favour of the said James S Givan Vs. for the said Sum of $227. 62½ Cents and and Costs against the said James M Teel. One in favour of the said Pemberton S Dicken for the Sum of 29. 39 Cents and Costs against the said James M Teel, And One in favour of the said John C Julien for the Sum of $30, 48 Cents and Costs against the said James M Teel, which said Executions are endorsed as follows Towit Came to hand April 23d 1832 and Levied on Lots number 5 and 6 in the town of Danville in Square number 15 in the Original ptat of said town, being the same on which the Attachment was originally levied, and in the Occupancy and possession of the said James M Teel, when the levy was made with the said Executions on the 24th day of April 1832 And which were advertized for sale according to Law on the 19th day of May 1832, on which day I attended on the Ground and first offered the rents and profits of said Lots for seven years, and there being no bidder for the rents and profits of said Lots, I then offered the fee Simple of the said Teel in and to said Lots And James S Givan became the purchaiser of Lot number 6 for the Sum of Eighty five dollars he being the highest bidder And Christian C Nave and Harvey Gregg became the purchaisers of Lot number five for Seventy four dollars they being the highest bidders And no property being found to Satisfy the balance on said Executions

Thomas Nichols Sheriff of Hendricks County

Now Know ye that I Thomas Nichols as Sheriff of Hendricks County, by

evidence Which is in the words and figures following towit
The State of Indiana Hendricks County. James S Givan vs James M Teel Dispenzer &c
Be it remembered that on this third Judicial day of the said Court, this case came on to be heard, and was heard, and a Jury was empannelled, and Sworn to try the said Cause, and the plaintiff proceeded to offer in evidence to prove his case the following testimony or proof, towit, 1st Sheriffs deed marked A from the Sheriff of the said County of Hendricks to the said James S. Givan the plaintiff which deed is in the words and figures following, towit, Whereas on the third day of February in the year of Our Lord One Thousand Eight Hundred and thirty two James Matlock of Hendricks County. filed his Claim and affedavid with his bond, and Sued out a writ of Domestic Attachment against James M Teel, of said County, and which said writ was levied on two Lots in the town of Danville. Known on the plat of said town as Lots Numbed 5 and 6 in Square number 15, in said town. And on the 18th day of April at a term of the Hendricks Circuit Court, held at the Court House in the town of Danville, a Judgment was rendered on the writ of Attachment for $30 97½ in favour of said James Matlock against the said James M Teel, together with Costs of said proceedings, And after the said writ was Sued out, towit, on the fifteenth day of February Eighteen hundred and thirty two James S Givan & Co filed his affedavid, Claim and bond on which he recovered a Judgment, on the 18th day of April 1832 for the Sum of 2,27, 62½ cents, and costs against the said James M Teel, under the proceedings Commenced by the said James Matlock, and on the 29th day of February 1832 Pemberton S Dicken filed his affedavid, Claim and bond, on which he recovered a Judgment on the 18th day of April 1832 for $28,27 cents, and costs against the said James M Teel under the proceedings Commenced by the said James Matlock, And on the Second day of March 1832 John C Julien filed his Claim, affedavid and bond and recovred a Judgment for $30,48 cents, with costs against the said James M Teel, under the proceedings Commenced by the said James Matlock, And afterwords, towit, on the twenty third day of April 1832 four Several Executions issued against the said James M Teel, directed to the Sheriff of said Hendricks County one in favour of the said James Matlock for the said Sum of $30.97½ Cents and Costs, And one in favour of the said James S Givan & Co for the said Sum of $227.62½ Cents and and costs against the said James M Teel. One in favour of the said Pemberton S Dicken for the Sum of 29.39 Cents and costs against the said James M Teel. And One in favour of the said John C Julien for the Sum of $30,48 Cents and costs against the said James M Teel, which said Executions are endorsed as follows towit Came to hand April 23d 1832 and Levied on Lots number 5 and 6 in the town of Danville in Square number 15 in the original plat of said town, being the same on which the Attachment was originally levied, and in the Occupancy and possession of the said James M Teel, when the levy was made with the said Executions on the 24th day of April 1832 And which were advertized for sale according to Law on the 19th day of May 1832, on which day I attended on the Ground and first offered the rents and profits of said Lots for seven years, and there being no bidder for the rents and profits of said Lots, I then offered the fee Simple of the said Teel in and to said Lots And James S Givan became the purchaser of Lot Number 6 for the Sum of Eighty five dollars he being the highest bidder And Christian C Nave and Harvey Gregg became the purchasers of Lot number five for Seventy four dollars they being the highest bidders And no property being found to Satisfy the balance on said Executions

Thomas Nichols Sheriff of Hendricks County

Now Know ye that I Thomas Nichols as Sheriff of Hendricks County, by

virtue of the said Executions above described and the levy, and sale thereon made thereon as above set out, I do hereby convey to the said James L Givan for the said Sum of of Eighty five dollars, to me in hand paid, in part, discharge of the Executions aforesaid, for the said Lot neumber 6 in Square Number 15 in the Town of Danville Sold as the property of the said James McTeel as aforesaid, do hereby by virtue of said levy and sale convey to the said James L Givan all the right, title and Interest of the said James McTeel, in my capacity of Sheriff as aforesaid in and to the Lot of Ground, And I do, hereby Guarantee, to the said James L Givan, All the right title and Interest which said James McTeel had and to said Lot of Ground, which may have been, and was Subject to be Seized and Sold as the property of the said James McTeel, by virtue of said Executions as aforesaid so far as I have Power and authority to do the same according to Law, in my capacity as Sheriff as aforesaid In Testimony whereof I the said Thomas Nichols as Sheriff of Hendricks County as aforesaid have hereunto Set my hand and seal, this twenty fifth day of May in the year of our Lord One Thousand Eight Hundred and thirty two In presence of Thomas Nichols Sheriff H.C. Ind

State of Indiana Hendricks County. Personally appeared before me the undersigned a Justice of the peace in and for said County of Hendricks the above named Thomas Nichols and acknowledged, the foregoing deed of Conveyance made to James L Givan, by him as Sheriff of Hendricks County, by virtue of a Sale on four Executions against James McTeel to be his official act and deed as Sheriff of said County for the Purposes therein mentioned Given under my hand and seal, this ninth day of July 1832 Job Osborn Justice of the peace Seal

to which the defendant objected but the objection was overruled and the deed admitted to go to the Jury, to which the said defendant Excepts &c - there being no proof of the execution of the said deed, or any other proof in relation to it, except what the deed itself imports on its face. And the plaintiff then proceeded to read & Shew the Complete record and the several Judgments against the said defendant, in the said Court, in favour of the said several plaintiffs and Claimants therein Specified in a suit in Attachment in Court and offered to read them in evidence (which said Complete record containing the several Judgments spoken of, are in the words and figures following, towit,)

James Matlock vs James M Tell. In Attachment

Be it remembered that heretofore, towit, On the third day of February in the year of our Lord One Thousand Eight hundred and thirty two, the plaintiff herein filed in the Clerks office of the Hendricks Circuit Court, his affidavit, bond and Causes of action, which are in the words and figures following towit

First the Affedavit ——— State of Indiana Hendricks County.

Hendricks Circuit Court April term Anno domini 1834 Personally appeared before the undersigned Clerk of the Hendricks Circuit Court James Matlock Sen. of the said County of Hendricks and State aforesaid, and made Oath that James McTeel late of said County is Justly indebted to him in the sum of thirty dollars forty Seven and three fourth cents on one note of hand, and by unsettled Book account (being as follows, towit,) the aforesaid note being for twenty two dollars & ninety three cents principal and Interest twenty cents from the fifteenth October 1831 to the second day of February 1832 which was executed to the said James Matlock Sen. by the name and description of James Matlock on the fourteenth day of October 1831 and due on the 15th day of October 1831 being the same month, and day succeeding the date thereof, And an unsettled Book account for Seven dollars thirty four cents and three fourth of a cent, which said Book account became due to the said James Matlock from the said James McTeel on the 15th day of November 1831 which book debt is for Merchandize to the said James McTeel &c for cash loned &c which

note and unsettled account as above described are justly due to the aforesaid James Mattock from the aforesaid James M Teel at the dates when they respectfully call or shew to be due and payable, and that he has no offset against the same either in Law or equity, and that the said James M Teel so conceals himself that the ordenary process of law cannot be served upon him and that there is not sufficient of goods and chattels to satisfy said dem and without attaching the lands of said Teel, and the aforesaid James Mattock further saith not

James Mattock

Sworn to and subscribed before this third day of February 1832

S T Hadley C, H, C, C.

This affidavit was filed in my office before the writ of Attachment issued February 3d 1832

S T Hadley C, H, C, C,

Secondly, the Bond Know all men by these presents that we James Mattock and Thomas Nichols both of the County of Hendricks and State of Indiana, are held and firmly bound unto James M Teel late of the County of Hendricks and State aforesaid in the penal sum of sixty dollars and ninety five and a half cents for the payment of which well and truly to be made we bind ourselves, our heirs &c Jointly and severally by these presents, as witness our hands and seals, this 3d day of February Anno domini 1832. The condition of the above Obligation is such, that whereas the said James Mattock has this day sued out of the Clerks office of Hendricks county a writ of Domestic Attachment against the goods and chattels, Lands and tenements of James M Teel late of said County, For thirty dollars and forty seven and three fourth cents, Now should the above bound James Mattock is bound in the above penalty for the due performance of a writ of Domestic Attachments and for the payment of all and singularly the damages that may be sustained by the said James M Teel if the proceedings thereon should be wrongfully or oppressive, then and in that case, this obligation to be void otherwise to be and remain in full force and virtue both in Law and Equity

James Mattock (Seal)

Attest S T Hadley

Thomas Nichols (Seal)

The above bond was taken in the clerks office at Danville, and approved of by me before the writ of attachment issued, this third day of February A D 1832, with affidavit

S T Hadley C, H, C, C.

Thirdly Causes of Action) One day after date I promise to James Mattock twenty two dollars and ninety three Cents for value of him received this 11th day of October 1831

James M Teel

Attest J W Mattock

James M Teel

To James Mattock D.o

Sept 26th 1831	6 yds factory	16⅔	$1,00
Oct 15th "	7/8 " Bleached do	31¼	2,34¾
" " "	1 Sett of tea Knobs		2,00
" " "	4 Screws		06¼
" 20 "	1 cupboard lock		25
Nov 12 "	1 Doz Spun cotton		18¾
" 15 "	7/8 yds calico	16⅔	1,25
" " "	Cash lent		25
			$7, 34¾

And afterwards, towit, on the fifteenth day of February in the year of our Lord One Thousand Eight Hundred and thirty two.

James L Givan filed in the Clerks office of the Hendricks Circuit Court his Affidavit, Bond and causes of action herein against the said James M Teel on the strength of the aforesaid Cause of Attachment said out by James Matlock Which are in the words and figures following, towit, First the Affidavit

State of Indiana Hendricks County — Hendricks Circuit Court April Term Anno Domini 1832 Personally appeared before me the undersigned Clerk of the Hendricks Circuit Court James L Givan of the County of Hendricks and State aforesaid, and made Oath that James M Teel late of said County is justly indebted to James L Givan & Co in the sums of two Hundred and twenty five dollars, twenty Six cents, on Six Notes of hand including principal and interest up to the fifteenth day of February 1832 One for fifty two dollars Eighty and a half cents principal: and interest from the 22d day of August 1831 to February the 15th 1832 is one dollar fifty two and a fourth cents which note was executed to the said James L Givan & Co by the said James M Teel on the 22d day of August 1831 by the name and description of James L Givan & Co which said note became due on the 22d day of August 1831 also one other note for Six dollars executed to the said James L Givan & Co on the 10th day of July 1831 by the name and description of James L Givan & Co Interest from the 10th day of August 1831 to the 15th day of February 1832 Eighteen and a half cents, which said note become due on the 10th of August 1831 next ensuing the date thereof, and also one other note of hand for forty one dollars and Seventy two cents principal, executed to the said James L Givan & Co by James M Teel, by the name and description of James L Givan & Co on the 26th day of December 1831 and due on the 27th day of December 1831 then next ensuing the date thereof, with Interest on the same from the 27th day of December 1831 to the 15 day of February 1832 being thirty two and three fourth cents; and also one other note of hand for Seventy five dollars executed to the said James L Givan & Co by the said James M Teel by the name and description of James L Givan & Co which note became due on 22d day of August 1831 being the day and year upon which it was Executed, with interest on the same from the 22d day of August 1831 to the 15th day of February 1832 which is two dollars Sixteen and a fourth cents; and also one other note of hand for forty dollars thirty Seven and a half cents, executed to the said James L Givan & Co by the said James M Teel, by the name and description of James L Givan & Co on the 24th day of November 1830 And due on the first day of June 1831 then next ensuing the date thereof, and which said note has a credit of twelve dollars, which reads thus "By Cash, twelve dollars on the within note this day June 27th 1831 which is signed by the name and description of J L Givan & Co And after the twelve dollars being deducted from the above named note of hand, it leaves twenty Eight dollars thirty Seven and a half cents principal, with interest on the same from the first day of June 1831 to the 15th day of February 1832, being one dollar Six and a fourth cents And also one other note of hand for fifteen dollars Seventy cents executed by James M Teel to Samuel J Buckman on the Second day of July 1831 by the name and description of Samuel J Buckman, and due on or before the tenth day of September 1831 then next ensuing the date thereof, Now therefore on the 22d day of July 1831 the said Samuel J Buckman did then and there endorse or assign the above named note over to the said James L Givan & Co by the name and description of James L Givan & Co for value Received, in the words and figures towit "Pay the within to Jas L Givan & Co for value Received of them, this day

Danville July the 22d 1831 Samuel Buckman Wherefore by an act of the Genral Assembly of the State of Indiana, a right of action hath accrued to the aforesaid James L Givan & Co against the said James M Teel for the above named fifteen dollars and twenty five cents with interest on the same from the 10th day of September 1831 to the 15th February 1832 which is forty cents Now the above named six notes of hand as above described are justly due to the said James L Givan & Co from the said James M Teel late of said County at the dates when they severally Call or purport to be due and payable And that the said James L Givan & Co have their aforesaid claim against the said James M Teel late of said County agreable to the act of the Genral Assembly of the State of Indiana, which is an act authorizing domestic Attachments and regulating the proceedings thereon And the said Claim being filed in compliance with the 15th Section of the aforesaid act, it being filed on the Strength of a Domestic Attachment taken out of the Clerks office of the County of Hendricks and State aforesaid, by James Matlock Esq. of said County on the third February 1832 demand thirty five Dollars forty Seven & three fourth cents And that the said James M Teel late of said County has no effects against the same either in law or equity, and the said James M Teel so absconds himself that the ordinary process of law cannot be Served upon him, and there is not sufficient goods and Chattles to Satisfy said demand without the Lands and tenements of the said James M Teel being made liable to this aforesaid debts &c And he further saith not

James L Givan

Sworn to and Subscribed before me this 15th day of February 1832 S. T. Nadley C.H.C.C.

Secondly (the Bond) Know all men by these presents, that we James L Givan & Henry Rammel both of the County of Hendricks and State of Indiana are held and firmly bound unto James M Teel late of said County of Hendricks and State aforesaid in the penal sum of Four Hundred and fifty dollars & fifty two cents, for the payment of which well and truely to be made and done we bind ourselves, Our Heirs &c Jointly and Severally by these presents, Witness our Hands and Seals, this fifteenth day of February Anno Domini 1832 The condition of the above obligation is Such, that whereas the said James L Givan & Co has this day Sued out of the Clerks office Hendricks County a writ of domestic attachment, or filed his affidavit agreable to the 15th Sect of said act against the goods and chattels Lands and tenements of James M Teel late of said County for two Hundred and twenty five dollars twenty Six cents, Now the above bound James L Givan & Co is bound in the above penalty for the due performance of a writ of Domestic Attachment or for filing the above named affidavit, and for the payment of all and Singularly the damages that may be Sustained by the said James M Teel if the proceedings thereon Shall be wrongfully or oppressive, then and in that Case, this obligation to be void, Otherwise to be and remain in full force and virtue in both in Law and Equity

James L Givan & Co (Seal)

Henry Rammel (Seal)

Attest S. T. Nadley

The above bond was taken in my office and approved by me, this 15th day of February 1832

S. T. Nadley C.H.C.C.

Thirdly the Causes of Action

Note 1st Due James L Givan & Co fifty and Eighty cents and One half cents for value Received of them this day, Danville August 22d 1831

Witness J. M. Gregg

James M Teel (Seal)

Note 2d Borrowed of James L Givan & Co Six dollars to be returned on the Tenth day of August next without fail Danville July 10th 1831 James M Teel Seal

Note 3d One day after date I promise to pay J L Givan & Co. Forty one dollars & Seventy two cents. for value rencved of them this day Danville December 26th 1831

J M. Gregg James M Teel Seal

Note 4th Due James L Givan & Co Seventy five dollars for value received of them this day Danville August 22d 1831 James M Teel Seal

Witnsp J M. Gregg

Note 5th On the first day of June next I promise to pay James L Givan & Co Forty dollars and thirty Seven and a half cents for goods Rec of them this day, Danville Nov 24th 1830 James M Teel Seal

(Credit on the above note)

By Cash Twelve Dollars on the within note this day June 27th 1831

J. L Givan & Co

Note 6th On or before the tenth of September next I promise to pay Samuel J Beckman fifteen dollars Seventy Cents. for value received of him July 2d 1831

as witness my hand and James M Teel Seal

On the ~~back~~ above note is the following endorsement, towit,

Pay the within to James L Givan & Co for value received of them this day, Danville July 22d 1831 Samuel J Beckman

And afterwards, towit, on the twenty ninth day of February in the year of our Lord One Thousand Eight hundred ~~and~~ thirty two Pemberton P Dicken filed in the Clerks Office of the Hendricks Circuit Court. his affidavit, bond and causes of action against James M Teel on the strength of the aforesaid Case of attachment Issued out by James Matlock, which affidavit, bond and Causes of action are in the words and figures following towit First the affidavit

State of Indiana Hendricks County, Hendricks Circuit Court April Term 1832

Personally appeared before me the undersigned Clerk of the Hendricks Circuit ~~Circuit~~ Court Pemberton P Dicken of the said County of Hendricks, and made oath that James M Teel late of said County is justly indebted to him in the Sum of twenty Eight dollars twelve and a half cents on two notes of hand, as follows towit, One for Eight dollars twelve and a half cents, Executed to the said Pemberton P Dicken by the name and description of P P. Dicken, on the 10th day of December 1831 and due the first day of February 1832 next ensuing the date thereof, And one note of hand for twenty dollars executed to the said Pemberton P Dicken on the 21st day of November 1831 by the said James M Teel by the name and description of P P Dickens, and due the 15th day of February then next ensuing the date thereof the amount of which said two notes above described is justly due and payable at the times they respectfully fall due, and there is no legal offset to the same either in law or Equity, and there is not sufficient personal goods and chattels of the said James M Teel to Satisfy the same, and that the said James M Teel so conceals himself, that the ordinary process of law cannot be Served upon him, and further saith not P P Dicken

Sworn to and Subscribed before me, this this twenty ninth day of February 1832

S T Hadley C. H. C. C.

Secondly the Bond

Know all men by these presents that we Pemberton P Dicken and Charles F Leitzman of the county of Hendricks and State of Indiana are held and firmly bound unto James M Teel late of the County and State aforesaid in the penal Sum of fifty Six dollars and twenty five cents, for the payment of which well and truely to be made, we bind Our selves our heirs to Jointly and Severally by the presents, as Witness our hands

and seals. this twenty ninth day of February AD 1832

The condition of the above obligation of this is such that whereas the said Pemberton S Dicken has this day sued out of the Clerks office of Hendricks County a writ of Domestic attachment against the said James M Teel for twenty Eight dollars 12½ cents now the above bound Pemberton S Dicken is bound in the above penally for the due prosecution of said writ of attachment and for the payment of all damages that may be sustained by the said James M Teel if they proceedings thereon should be wrongfully or oppressive, then this obligation to be void otherwise remain in full force and virtue

Attest S. T. Hadley

P. S. Dicken (seal)
Charles F Seitzman (seal)

The above bond was taken in my office and approved by me this 29th day of February 1832

S. T. Hadley C. H. C.

Hindley Causes of Action

Note 1st On or before the 1st day of February next I promise to pay P. S. Dicken Eight dollars & 12½ cents for value received this 10th day of December 1831

Attest H. H. Willcox

James M Teel (seal)

Note 2d On or before the 15th day of February next I promise to pay P. S. Dicken twenty dollars for value received, this 21st November 1831

James M Teel

And afterwards, towit, on the second day of March in the year of Our Lord One Thousand Eight Hundred and thirty two John C Julien filed in the Clerks office of the Hendricks Circuit Court his affidavit, Bond and Causes of action against James M Teel on the strength of a case of Attachment sued out by James Mattock, which affidavit, bond and Causes of action are in the words and figures following, towit,

First the affidavit — State of Indiana Hendricks County, Hendricks Circuit Court April Term Anno Domini 1832

Personally appeared before me the undersigned Clerk of the Hendricks Circuit Court John C Julien of the said County of Hendricks and State aforesaid, And made Oath. that James M Teel late of said County is justly indebted to him in the sum of Thirty dollars on two notes of hand, as follows, towit, One for five dollars executed to the said John C Julien by the name of J C Julien on the third day of November 1831 and due on the same day and year it was executed. and also one other note for twenty five dollars executed by the said James M Teel to one Samuel J Beckman, by the name and discreption of Samuel J Beckman on the Second day of July 1831 and due on or before the fifteenth day of January 1832 then next ensuing the date thereof. And which said note was assigned by Samuel J Beckman to John C Julien by the name and discreption of John C Julien, on the 10th day of July 1831. which said endorsement reads in the words and figures following, towit; I assign the within note to J. C. Julien for value received the 10th July 1831 Samuel J Beckman

Which said two notes above described are justly due to the said John C Julien as aforesaid from the said James M Teel at the dates when they respectfully call to be due and payable, and that the said James M Teel has no offset against the same either in Law or Equity And that the said James M Teel is concealed himself that the ordinary process of Law cannot be served upon him, and that there is not sufficient goods and Chattels to satisfy said demand without attaching the Land of the said Teel, this thus being a claim filed in accordance with the 15th Sect of the Statute

of the State of Indiana under the Laws of Attachment &c and he further saith not

John C Julien

Sworn to and Subscribed before me this 2d day of March AD 1834 S.T. Hadley C.H.C.C

Secondly the Bond Know all men by these presents that we John C Julien and Benjamin R Smith both of the County of Hendricks and State of Indiana are held and firmly bound unto James M Teel late of said County and State aforesaid in the penal Sum of Sixty dollars, for the payment of which well and truely to be made, we bind ourselves our Heirs &c Jointly and Severally by these presents Witness our hands and seals, this Second day of March Anno domini 1832 The Condition of the above Obligation is such that whereas the said John C Julien has this day filed in the Clerks office of Hendricks County, his affidavit agreeable to the 15 Sec of the Law of attachment for thirty dollars. Now the above bounden John C Julien is bound in the above penalty for the due performance of said Claim by the aforesaid affidavit, and for the payment of all and singular the damages that may be sustained by the said James M Teel if the proceedings thereon should be wrongfully and oppressive, then and in that case this obligation to be void, otherwise to be and remain in full force and virtue both in law and Equity

John C. Julien (Seal)

Attest S.T. Hadley

Benj R Smith (Seal)

The above bond was taken in my office and approved by me, this 2d day of March AD 1832

S.T. Hadley C.H.C.C

Thirdly the Causes of action

Note 1st Due John C Julien five dollars for value received of him Witness my hand the 3rd of November 1831

James M Teel

Note 2d On or before the 15th of January next I promise to Samuel J Buckman Twenty five dollars for value received of him July 2d 1831 as witness my hand and

James M Teel (Seal)

On which note is the following endorsement, towit, I assign the within Note to John C Julien for value received the 10th of July 1831 Samuel J Buckman

And afterwards, towit, on the Eighteenth day of April in the year of our Lord One Thousand Eight hundred and thirty two the same being the day and year first aforesaid at a Court holden at the Court House in the town of Danville At this time comes the Plaintiff by his attorney, and John Gilvin comes into open Court and acknowledges himself Special Bail for the said James M Teel in this said suit, And thereupon comes the said James M Teel and by his attorney moves the Court to quash and set a side the proceedings herein because of defects and unsufficiencies in the said affidavit, bond and writ, And the premises being Seen the said motion is overruled The said plaintiff now makes and files proof to the Satisfaction of the Court that notice of the pendency of this attachment has been published four weeks successively in the Indiana Democrat, And the said James M Teel being required to answer or plead to the demand of the said James Matlock Sen. Say nothing in bar or preclusion thereof It is therefore considered that the said James Matlock recover of the said defendant his damages by him sustained in the premises but because the said damages are unknown to the Court, let a Jury come by whom the same may be made Known. And the Sheriff as he is commanded brings into Court the Jurors of the Jury, towit, Ira Scott, Jonathan Moffitt Isaac Stephens, William Mitchell, John Trotter, Ezekiah McClintick, John Holland, Abraham West, Christean Hartman, Joseph Hodson, James Parks and Noah Harding, twelve good and Lawful men who being Elected, tried

& Sworn to apess the damages truely in the premises, do Say we of the Jury do apess the Plaintiffs damage to thirty dollars, ninety Seven & three fourth Cents. It is is therefor considered that the said James Matlock recover of the said defendant the Sum of Thirty dollars, ninety Seven and three fourth Cents by the Jurors apeased aforsaid in their verdict aforesaid apeased, and the Sum of thirty one dollars and thirty two Cents as for his costs and Charges in this behalf laid out and expended, and the defendant in mercy &c

And the said James M Teel being required to answer or plead to the demand of the said James L Givan says nothing in bar or preclusion thereof It is therefore considered by the Court that the said James L Givan recover of the said defendant James M Teel the Sum of two hundred and twenty Seven dollars Sixty two and a half Cents in damages, and five dollars and Seventeen Cents as for his costs and Charges in this behalf laid out and expended, and the defendant in mercy &c

And the said James M Teel being required to answer or plead to the demand of the said Pemberton P Dicken, says nothing in bar or preclusion thereof It is therefore considered by the Court that the said Pemberton P Dicken recover of the said James M Teel the defendant, the Sum of Twenty Eight dollars and thirty nine Cents in damages & the Sum of Four dollars and Eighty Eight Cents as and for his costs and Charges in this behalf laid out and expended and the defendant in mercy &c

And the said James M Teel being required to answer or plead to the demand of the said John C Julien, says nothing in bar or preclusion thereof It is therefore considered by the Court that the said John C Julien recover of the said James M Teel the defendant, the Sum of thirty dollars forty Eight and a half Cents in damages, and four dollars and Eighty Eight Cents, as and for his costs and charges in this behalf laid out and expended and the defendant in mercy &c To which the defendant objected, but the objection was overruled and the ~~objection~~ Judgments aforesaid and Complete record were allowed to be read in evidence, to which the defendant excepts &c but did not read the original Judgments in the order book as Signed by the Court to the Jury

The plaintiff then proceeded to read the four Several executions named in his declaration and the returns thereon without proving that said returns were actually made by the Sheriff named or any proof that he was Sheriff. Which said executions and returns are in the words and figures following, towit,

State of Indiana Hendricks County The State of Indiana, to the Sheriff of said County Greeting; You are, hereby Commanded that of the goods and Chattels Lands and tenements of James M Teel in your Baliwick you Cause to be made the Sum of thirty dollars, ninety Seven and three fourth Cents which Sum James Matlock Sen. lately in the Hendricks Circuit Court on the 18th of this Instant, and before the Judgs of said Court, recovered of him the said James M Teel, And also the Sum of thirty One dollars and thirty two cents, which by the same Court, was adjudged to the said James Matlock Sen. as and for his costs and Charges by him about the recovery of this his said Suit, laid out and expennded, whereof the said James M Teel is convicted as appears to us of record, And have you those moneys before our said Court at their Clerks office in Danville on the first day of this next October Term of said Court to render unto the said James Matlock Sen his debt and Costs aforsaid And have you then there this writ

Given under my hand with the Seal of said Court affixed at

, Danville this 23d day of April AD 1832 P.T. Hadley C.H.C.C.

Which said Execution was on the ninth day of July next ensuing the date thereof returned to the aforesaid Clerks office with the following endorsements thereon, towit, Came to hand April 23d 1832 and levied on Lots numbered 5 and 6 in the town of Danville in Square numbered 15 in the original plat of said town being the same on which the attachment was originally levied, which was then in the occupancy and possession of the said Teel, when the levy was made with the said Executions on said Lots on the 24th day of April 1832 which were advertised for sale according to on Saturday the 19th day of May 1832, on which day I attended on the ground, and first offered the rents & profits of said Lots for seven years and there being no bidders for the rents and profits of said Lots, I then offered the fee simple of said Teel in and to the said Lots, And Christian C Nave and Harvey Gregg became the purchasers of Lot number 5 for the sum of $74 they being the highest bidders, And James L Givan became the purchaser of Lot number Six for $85 he being the highest bidder, and no property found to satisfy the balance of said Executions Thomas Nichols Shff C.C.

State of Indiana Hendricks County, State of Indiana to the Sheriff of said County Greeting: You are hereby commanded that of the goods and chattels, Lands and tenements of James M Teel in your Bailewick you cause to be made the sum of Two hundred and twenty Seven dollars and Sixty two and a half cents, which sum James L Givan lately in the Hendricks Circuit Court on the 18th day of this Instant, and before the Judge thereof recovered of him the said James M Teel, and also the sum of five dollars and Seventeen Cents, which by the same Court was adjudged to the said James L Givan, as and for his Costs and charges by him about the recovery of this his said suit laid out and expended, whereof the said James M Teel is convicted as appears to us of record. And have you those moneys before our said Court at their Clerks office in Danville on the first day of the next October term of said Court to render unto the said James L Givan his debt and costs aforesaid And have you then and there this writ

Given under my hand, with the seal of said court affixed in the Clerks Office at Danville this 23d day of April A.D. 1832 P.T. Hadley C.H.C.C.

On the back of which said Execution is the following endorsement, towit, Came to hand April 23d 1832 And levied on Lots number 5 and 6 in the town of Danville in Square number 15 in the original plat of said town, being the same on which the attachment was originally levied, which was then in the occupancy and possession of the said Teel when the levy was made with the said Executions on said Lots on the 24th day of April 1832 which were advertised for sale according to Law on Saturday the 19th day of May 1832 on which day I attended on the ground, and first offered the rents & profits of said Lots for Seven years, and there being no bidders for the rents and profits, of said Lots, I then offered the fee simple of said James M Teel in and to said Lots- and Christian C Nave & Harvey Gregg became the purchasers of Lot number 5 for the sum of $74 They being the highest bidders, and James L Givan became the purchaser of Lot number Six for $85, he being the highest bidder, and no property found to satisfy the balance on said Executions Thos Nichols Shff H C

State of Indiana Hendricks County, The State of Indiana to the Sheriff of Hendricks County Greeting; You are hereby commanded that of the goods and chattels, Lands and tenements of James M Teel in your Bailwick you cause to be made the sum of twenty eight dollars and thirty nine

cents which sum P.S. Dicken lately in our Hendricks Circuit Court
the 18th of this Instant and before the Judges of said of said Court did
recover of him the said James McTeel, and also, the sum of four d
and thirty Eight Cents which by the same Court was adjudged to the said
Dicken, as & for his costs and charges by him about this recovery of this his
said suit laid out and expended, whereof the said James McTeel
convicted as appears to us of record, and have you those moneys before
said Court, at the Clerks office in Danville on the first day of the next
October term of said Court to render unto the said P.S. Dicken his debt
costs aforesaid, And have you then and there this writ,

Given under my hand, with the seal of said Court affixed in
Clerks office at Danville this 23rd day of April AD 1832 S.J. Hadley C.H.C.
The foregoing Execution is endorsed as follows, towit, Came to hand
April 23d 1832 And levied on Lots numbed 5 and 6 in the town of
Danville in Square Number 15 in the Original plat of said town, being
the land on which the attachment was originally levied, which was then
in the occupancy and possession of the said Teel when the levy was
made with the said Executions on said Lots, on the 21st day of April 183
which advertized for sale according to Law on Saturday the 19th day of
May 1832 on which day I attended on the ground and first offered
rents and profits of said Lots for seven years, and there being no
bidders for the rents and profits of said Lots. I then offered the
Simple of the said Teel in and to the Lots, and Christian & Nave and
Harvey Gregg became the purchasers of number 5 for the sum of
$74 They being the highest bidders - and James S Givan became
purchaser of Lot number Six for $85 he being the highest bidder.
and no property found to satisfy the balance on said executions

Thos Nichols Shff H.C.

State of Indiana Hendricks County The State of Indiana
To the Sheriff of Hendricks County Greeting You are hereby com
manded that of the goods and Chattels, Lands and tenements of
James McTeel, in your Bailwick you cause to be made the sum
of Thirty dollars forty Eight, Cents, which sum John C Julien ha
in the Hendricks Circuit Court, on the 18th day of this Instant, and
before the Judges of said Court, recovered of the said James M Teel
and also the sum of four dollars and thirty Eight cents, which by
the same Court, was adjudged to the said John C Julien, as & for his
Costs and Charges by him about the recovery of this his said suit,
out and expended, whereof the said James M Teel, is convicted as
appears to us of record, And have you those moneys, before our
said Court, at their Clerks office, in Danville on the first day of the
next October Term of said Court, to render unto the said John C
Julien; his debt and costs aforesaid, and have you then and
there this writ Given under my hand with the seal of said
affixed at the Clerks office in Danville, this 23d day of April Anno
domini 1832

S.J. Hadley C.H.C.

On the foregoing Execution is the following endorsement, towit,
Came to hand April 23d 1832 And levied on Lots Numbered 5 a
6 they in the town of Danville in Square number 15 in the origin
plat of said town, being the same on which the attachment wa

cents which sum P.S. Dicken lately in and Hendricks Circuit Court on the 18th of this Instant and before the Judges of said of said Court did recover of him the said James McTeel, and also, the sum of four dollars and thirty Eight Cents which by the same Court was adjudged to the said P.S. Dicken, as & for his costs and charges by him about this recovery of this his said suit laid out and expended, whereof the said James McTeel is convicted as appears to us of record, and have you those moneys before the said Court, at the Clerks office in Danville on the first day of the next October term of said Court to render unto the said P.S. Dicken his debt and costs aforesaid, And have you then and there this writ,

Given under my hand, with the seal of said Court affixed in the Clerks office at Danville this 23rd day of April AD 1832 P.J. Hadley C.H.C.

The foregoing Execution is endorsed as follows, towit, Came to hand April 23d 1832 And levied on Lots numbed 5 and 6 in the town of Danville in Square Number 15 in the Original plat of said town, being the the same on which the attachment was originally levied, which was then in the occupancy and possession of the said Teel when the levy was made with the said Executions on said Lots, on the 24th day of April 1832 which advertized for sale according to Law on Saturday the 19th day of May 1832 on which day I attended on the ground and first offered the rents and profits of said Lots for seven years, and there being no bidders for the rents and profits of said Lots. I then offered the fee Simple of the said Teel in and to the Lots, and Christian C Nave and Harvey Gregg became the purchasers of number 5 for the sum of $74 They being the highest bidders - and James S Givan became the purchaser of Lot number Six for $85 he being the highest bidder, and and no property found to satisfy the balance on said executions

Thos Nichols Shff H.C.

State of Indiana Hendricks County The State of Indiana To the Sheriff of Hendricks County Greeting You are hereby commanded that of the goods and Chattels, Lands and tenements of James McTeel, in your Bailwick you cause to be made the sum of Thirty dollars forty Eight, & 74 cents, which sum John C Julien lately in the Hendricks Circuit Court, on the 18th day of this Instant, and before the Judges of said Court, recovered of the said James McTeel and also the sum of four dollars and thirty Eight cents, which by the same Court, was adjudged to the said John C Julien, as & for his Costs and Charges by him about the recovery of this his said suit, laid out and expended, whereof the said James McTeel, is convicted as appears to us of record, And have you those moneys, before our said Court, at their Clerks office, in Danville on the first day of the next October Term of said Court, to render unto the said John C Julien; his debt and costs aforesaid, and have you then and there this writ Given under my hand with the seal of said Court affixed at the Clerks office in Danville, this 23d day of April Anno domini 1832

P.J. Hadley C.H.C.

On the foregoing Execution is the following endorsement, towit, Came to hand April 23d 1832 And levied on Lots Numbered 5 and 6 they in the town of Danville in Square number 15 in the original plat of said town, being the same on which the attachment was

originally levied, and which was then in the occupancy and possession of the said Teel, when the levy was made with the said Executions on the said Lots on the 24th day of April 1832 and which were advertised for sale according to law, on Saturday the 19th day of May 1832. On which day I attended on the ground, and first offered the rents and profits of said Lots for seven years, and there being no bidders for the rents and profits of the said Lots, I then offered the the fee simple of said Teel, in and to said Lots, And Christian C Nave and Harvey Gregg became the purchasers of Lot number 5 for the sum of $74 they being the highest bidders - and James L Givan became the purchaiser of Lot number Sise for $85 he being the highest bidder no property found to Satisfy the balance due on said Executions

Thos Nichols Shff M.C.

to which the defendant objected, but the objection was overruled, and the said executions and returns were allowed to go to the Jury, and be read, and were read in evidence, to which the defendant excepts &c. Simon T. Hadley being Sworn as a witness for the plaintiff; Says, that at the time of the Commencement of this Suit the deft. had the possession of the Lot in question; and that, the property was worth $1.50¢ per month, as rent, to which evidence as to the rent the defendant objects, but the objection is overruled by the Court, and the evidence allowed to go to the Jury to prove the plaintiffs damages in this case, to which evidence the deft, by his Council excepts and prays that the same may be made a part of the record in this case,

Samuel A Herbrike was introduced as a witness for plaintiff, who on being Sworn, Says, that the defendant came into his Shop some time in 1832 and Mr. Givan the plaintiff came in also, and Mr Givan wanted to know, if the defendant would give possession of the property, without naming any particular property, but knew the Lot in question Sold; and Mr Teel defendant said he could give possession of the property, because the deed was in his brothers name; that he was present at the Sale, and heared it Cried off to Mr Givan. And this said evidence was all that the said plaintiff introduced in this Cause of any Kind whatever, to sustain said Suit Whereupon the said defendant Says, that the said facts or evidence are not sufficient by the laws of the land to authorize the said plaintiff to recover in this Case, and that he the said defendant is not bound by the laws of the land to answer the same and this he is ready to verify, Wherefore he pray Judgment, if the said plaintiff Can recover in this Case upon the said Evidence &c; and doth demur to the same J B Ray & J Eccles atty for Deft.

and the plaintiff files his Joinder thereto: as follows, Court, And the said plaintiff Says precludes now because he says the evidence aforesaid is sufficient in law for the said plaintiff to have and maintain his action aforesaid, in manner and form as the said evidence is set forth And this he is ready to verify: Wherefore he pray Judgment &c Nave for Plff

and thereupon the said Jurors of the Jury are discharged from the further consideration of the Cause And the premises being Seen and inspected

It is considered by the Court now here, that the plaintiff recover of the defendant, the possession of the said premises in the declaration mentioned and that the plaintiff have his writ of Habere facias possessionem therefor, And it is further considered that the plaintiff recover of the defendant the Sum of eight dollars for his damages by him Sustained in the premises and also the Sum of dollars and cents for his costs and charges in this by him in this behalf laid out and expended and the defendant in mercy &c And afterwards, towit, on the

Eighteenth day of April in the year of our Lord One Thousand Eight hundred and thirty three. the same being the fourth Judicil day of the April of the Hendricks Circuit Court, began and held at the Court house in the town of Danville by the Honorable the Judys aforesaid. Come the defendant and prays an appeal to the Supreme Court, which is granted if the defendant will file a good and sufficient appeal bond in the sum of two hundred dollars with sufficient security And the defendant now tenders here in court a bond in the penalty aforesaid with John Eccles William McGee and David Claypool as securities, which bond is approved and filed and the said appeal allowed. And afterwards towit on the twenty eighth day of June in the year of our Lord One Thousand Eight hundred and thirty four the decision of the Supreme Court in said cause was filed in the Clerks office of the Hendricks Circuit Court, which said decision is in the words and figures following, towit, The State of Indiana, Supreme Court. May Term AD 1834 Saturday June the 7th AD 1834 Present the Honorable Isaac Blackford, Stephen C Stevens & John T McKinney Judges

James M Teel
vs
James L Givan
} on Appeal from the Hendricks Circuit Court

At this time come the parties by their council & the court being sufficiently advised of & concerning the premises. give the following Judgment. It is therefore considered by the court now here that the Judgment of of the circuit court be in all things affirmed, which is ordered to be certified to said court

State of Indiana } I Henry P Coburn, Clerk of said Supreme Court, do Hereby certify that the foregoing is a full, true, & Complete Copy of the Judgment of said court in the above intetled Cause In Testimony whereof I have hereunto set my hand & affixed the seal of said court at Indianapolis the 24th day of June A.D. 1834

H P Coburn C.S.C.

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart Esquires associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, of the April Term of said Court in the year of Our Lord One Thousand Eight Hundred and thirty three (towit,

The State of Indiana
vs
John Kerns
} Scirefacias on Recognizance No 1

Be it remembered that heretofore, towit, on Monday the Sixteenth day of April in the year of Our Lord One Thousand Eight Hundred and thirty two. the same court being first Judicial day of April Term of the Hendricks Circuit, in said year: held at the Court House in the town of Danville by the Honorable the Juges aforesaid Thomas Nichols Sheriff of Hendricks County returned

into Court the following bond of Recognizance (towit, Know all men by these presents that we John Kerns and Thomas Samuel both of the County of Hendricks & State of Indiana, are held and firmly bound unto the State of Indiana in the penal sum of One hundred dollars each, for the true payment of which well and truely to be made, we bind ourselves, our heirs &c as witness our hands and seals, this 22d. day of Octr 1831 The condition of the above Obligation is such Now should the above bounden John Kearns personally be and appear before the Judges of the Hendricks Circuit Court on the first day of their next April term to be holden at the Court Danville, then and there to answer unto the said State of Indiana on a certain charge exhibited against him for living in adultry, and and to such other matters and things as may then and there be charged against him and not depart thence without leave of said Court, then and in that case the above obligation to be void and of none effect; otherwise to remain in full force and virtue in Law and Equity

John + Kearns (Seal)
mark
Thomas Samuel (Seal)

Signed, Sealed in my presence, and by me approved Thos Nichols Sff H C

And thereupon Conrad Pregg who prosecutes the pleas of the State, and the said John Kearns being three called, comes not, but makes default, and Thomas Samuel the Security of the said John being also called and required to bring into Court the boddy of the said John in discharge of this recognizance, comes not nor hath he the body of the said John to render in discharge of his said undertaking. It is therefore considered by the Court, that the said recognizance is forfeited and hath become absolute. And that the State of Indiana recover of the said John Kearns and Thomas Samuel Severally the amount of the said Recognizance. And it is ordered that Several writs of Scirefacias issue against the said recognizors requiring them to appear before the Judges of this Court on the first day of their next term and shew cause if any they have why the State of Indiana shall not have her execution against them for the amount of the said Judgment. And afterwards, towit, on the twelfth day of September in the year of our Lord One Thousand Eight hundred and thirty two, a writ of Scirefacias issued from the Clerks office of said Hendricks Circuit Court, directed to the Sheriff of Hendricks County which said writ of Scirefacias is in the words and figures figures following, towit, State of Indiana Hendricks County. The State of Indiana To the Sheriff of Hendricks County, Greeting; Whereas the Grand Jurors empannelled Charged and Sworn at the October term of the Hendricks Circuit Court A.D. 1831 to enquire in & for the body of the County of Hendricks Com died on the 15th day of said month & at the said term of the Court, returned into said Court an Indictment against one John Kearns Charging him with living in open & notorious adultry with one Emily otherwise Melly Davis Contrary to the form of the Statute in such cases made and provided and against the peace and dignity of the State of Indiana. And afterwards, towit, on the 20th day of October A.D. 1831 a writ Issued from the Clerks office in said County, directed to the Sheriff of Hendricks County, commanding him to take body of the said John Kearns, and him safely Keep, so that he should have his body before the Judges of the Hendricks Circuit Court on the first day of their next april Term to be holden at the Court house in the Town of Danville A.D. 1832, to answer unto the State of Indiana on an Indictment for adultry as aforesaid on the back of which was the following endossement, towit, The Sheriff will take

bail in this case with one Security in the sum of One hundred dollars eac
And afterwards, towit, On the 16th day of April AD 1832 the same being
first day of the April term of said Court AD 1832. the above mentione
cout was returned into the Hendricks Circuit Court by the Sheriff, pur
=ting to have been served on the body of the said Defendant and on th
Same day and year last aforesaid, and at the same time the said Sher
also returned into Court the following bond of Recognizance towit
Know all men by these presents, that, we John Kearns and Thomas Samuel
both of the County of Hendricks and State of Indiana in the pen
Sum of One hundred dollars each for the true payment of which well
and truly to be made we bind ourselves, our heirs &c as witness ou
hands and seals, this 22d day of Octb 1831 The condition of the abo
Obligation is such, Now therefore the above bounden John Kearns, pe
ally be and appear before the Judges of the Hendricks Circuit Court a
the first day of their next April Term, to be holden at Danville, the
and there to answer unto the State of said Indiana on a certain charg
=ged against him for living in adultry, and to such other matters a
things as may then and there be Charged against him, and not depar
thence without leave of said Court, then and in that case, the above ob
-gation to be void and of none effect, otherwise to be and remain in
full force and virtue in law and Equity
Signed, sealed in my presence and by me approved
Thos Nichols Shff H.C.

John his ✕ mark Kearns (Seal)
Thomas Samuel (Seal)

And afterwards, towit, on the 16th day of April AD 1832 at a term
of the Hendricks Circuit Court began and held at the Court house in
the town of Danville on said day comes Harvey Gregg Attorny who
prosecutes the pleas of the State and the said John Kearns being thri
called comes not but makes default. And Thomas Samuel the
Security of the said John Kearns being also called and required
bring into Court the body of the said John in discharg of his re
=cognizance, comes not. nor hath he the body of the said John to render
in discharg of his said undertaking. It is therefore considered by th
Court, that the said recognizance is forfeited and hath become absolut
And that the State of Indiana recover of the said John Kearns
and Thomas Samuel Severally the amount of the said recognizan
And it is ordered that Several writs of Scirefacias issue against the
said recognizors, requiring them to appear before the Judges of this
Court on the first day of their next term, and shew cause if any
they have why the State of Indiana shall not have her execution
against them for the amount of the said Judgment

You are therefor hereby Commanded that you Summon the said John Kea
to personally be and appear before the Judges of the Hendricks Circuit Court, on th
first day of their next Octb Term to be holden at the Court house in the town
of Danville on the third Monday in said month to shew cause if any
has why Execution shall not be awarded against him in favour of the Sta
on said Judgment & have you then and there this writ
Given under my hand with the seal of said Court affixed at the C
office in Danville this 19th day of Sept 1832
S T Hadley C H C C

On the back of which said writ of Scirefacias is the following endorsement
(towit) Came to hand Sept 14th 1832 The within named Kearns is not

bail in this case with One Security in the Sum of One Hundred dollars each
And afterwards, towit, On the 16th day of April AD 1832 the same being the
first day of the April term of said Court AD 1832, the above mentioned
writ was returned into the Hendricks Circuit Court by the Sheriff, purpor
-ting to have been served on the body of the said Defendant and on the
same day and year last aforesaid, and at the same time the said Sheriff
also returned into Court the following bond of Recognizance towit
Know all men by these presents, that we John Kearns and Thomas Samuel
both of the County of Hendricks and State of Indiana in the penal
Sum of One Hundred dollars each for the true payment of which well
and truly to be made we bind ourselves, our heirs &c as witness our
hands and seals, this 22d day of Octb 1831 The condition of the above
Obligation is such, Now Shoat the above bounden John Kearns, pursu
ally be and appear before the Judges of the Hendricks Circuit Court on
the first day of their next April Term, to be holden at Danville, thin
and there to answer unto the State of said Indiana on a certain charge exhi
-bited against him for living in adultry, and to such other matters and
things as may then and there be charged against him, and not depart
thence without leave of said Court, then and in that case, the above obli
-gation to be void and of none effect, otherwise to be and remain in
full force and virtue in law and Equity
Signed, sealed in my presence and by me approved
Thos Nichols Shff H.C.

John his + mark Kearns Seal
Thomas Samuel Seal

And afterwards, towit, on the 16th day of April AD 1832 at a term
of the Hendricks Circuit Court began and held at the Court House in
the town of Danville on said day comes Harvey Gregg attorny who
prosecutes the pleas of the State and the said John Kearns being thrice
called comes not but makes default. And Thomas Samuel the
Security of the said John Kearns being also called and required to
bring into Court the body of the said John in discharge of his reco
-gnizance, comes not, nor hath he the body of the said John to render
in discharge of his said undertaking. It is therefore considered by the
Court, that the said recognizance is forfeited and hath become absolute
And that the State of Indiana recover of the said John Kearns
and Thomas Samuel Severally the amount of the said recognizance
And it is ordered that Several writs of Scirefacias issue against the
said recognizors, requiring them to appear before the Judges of this
Court on the first day of their next term, and shew cause if any
they have why the State of Indiana shall not have her execution
against them for the amount of the said Judgment

You are therefore hereby Commanded that you Summon the said John Kearns
to personally be and appear before the Judges of the Hendricks Circuit Court, on the
first day of their next Octb Term to be holden at the Court House in the town
of Danville on the third Monday in said month to shew cause if any he
has why Execution shall not be awarded against him in favour of the State
on said Judgment & have you then and there this writ
Given under my hand with the seal of said Court affixed at the Clerks
office in Danville this 12th day of Sept 1832 S J Hadley C H C
On the back of which said writ of Scirefacias is the following endorsement
(towit) Came to hand Sept 14th 1832 The within named Kearns is not

found in my County Thos Nichols Shff H C

And afterwords towit on Monday the fifteenth day of October in the year of Our Lord One Thousand Eight hundred and thirty two, at a court began and held at the Court House in the town of Danville, by the honorable the Judges aforesaid, the same being the first Judicial day of said Court in the year last aforesaid, Now comes the attorney for the State, and the writ being returned not found, an alias Scirefacias is awarded, and this cause is continued.

And afterwords, towit, on the twenty first day of February in the year of Our Lord one Thousand Eight hundred and three, an alias Scirefacias ipsued from the Clerks office of the Hendricks Circuit Court directed to the Sheiff of said County, which said alias Scirefacias is in the words and figures following, towit, State of Indiana. Hendricks County, The State of Indiand, to the Sheriff of Hendricks County, Greeting: Whereas the Grand Jurors empanneled charged and sworn at the October term of the Hendricks Circuit Court AD 1831 to enquire in and for the body of the county of Hendricks, did on the 15th day of said month, and at the said term of the Court return into Court an Indictment against one John Kearns charging him with living in open notorious adultry with one Emily (otherwise) Melly Davis contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana And afterwords, towit, on the 20th day of October AD 1831 a writ ipsued from the Clerks office of said County directed to the Sheriff of Hendricks County Commanding him to take the body of the said John Kearns and him safely keep So that he should have his body before the Judges of the Hendricks Circuit Court on the first day of their next April term to be holden at the court house in the town of Danville AD 1832 to answer unto the State of Indiana on an Indictment for adultry as aforesaid on the back of which was the following endorsement, towit, The Sheriff will take bail in this case with and security in the sum of one Hundred dollars each. And afterwords, towit, on the 16th day of April AD 1832 the same being the first day of the April term of said Court AD 1832 the above mentioned writ was returned into Court the Hendricks Circuit Court by the Sheriff perporting to have been served on the body of the defendant and on the same day and year last aforesaid and at the same time the said Sheriff also returned into Court the following bond of recognizance towit, Know all men by these presents that we John Kearns and Thomas Samuel both of the county of Hendricks and State of Indiana are held and firmly bound unto the State of Indiana in the penal sum of one hundred dollars each for the true payment of which well and truly to be made and we bind ourselves our Heirs & Cas witness our hands and seals, this 22d day of October 1831 The condition of the above obligation is such, now should the above bounden John Kearns personally be and appear before the Judges of the Hendricks Circuit Court, on the first day of their next April term to be holden at Danville then and in that there to answer unto the said State of Indiana on a certain charge exhibited against him for living in adultry, and to such other matters and things as may then and there be charged against him, and not depart thence without leave of said Court then and in that case the above obligation to be void and of none effect, otherwise to remain in full force and vertue in Law and Equity Signed sealed in my presence and by me approved Thos Nichols Shff H C

John his + Kearns mark Seal

Thomas Samuel Seal

And afterwords towit on the 16 day of April AD 1832 at a term

of the Hendricks Circuit Court, began and held at the Court house in the tow
of Danville on said day comes Harvey Gregg attorney who prosecutes the
pleas of the State, and the said John Kearns being three called comes not
but makes default, and Thomas Samuel the security of the said John
Kearns being also called and required to bring into Court the body of the
said John in discharge of this recognizance comes not, nor hath he the bo
of the said John to render in discharge of this said undertaking It is
therefore considered by the Court that the said recognizance is forfeited, a
hath become absolute and the State of Indiana recover of the said John
John Kearns and Thomas Samuels Severally the amount of the said
recognizance, and it is ordered that Several writs of Scirefacias ipsue again
the said recognizors requiring them to appear before the Judges of this Court
on the first day of their next term to Shew Cause if any they
have why the State of Indiana shall not have her execution against
them for the amount of the said Judgment. And whereas agreeably
to the above order, a writ of Scirefacias ipsued from the Clerks office
of said Court, in said County on the 12th day of September A.D, 1832 directed
to the Sheriff of said County, Commanding him the said to Summon
the said John to appear and Shew cause as above requerid &c &c and
made returnable to the first day of the October term of said Court 1832
which writ was returned accordingly on the first day of said term of the
said Court, it being the 15th day of October 1832 with the following endor
ment thereon, towit, Came to hand Sept 14th 1832, the within named
Kearns is not found in my County Thos Nichols Shff &c,

And whereas afterwords, towit, on the same day and year last aforesaid
came Gregg who prosecutes the pleas of the State, and the writ herein being
having been returned as aforesaid, an alias Scirefacias was awarded
You are therefore hereby commanded, as you have heretofore been
been commanded, to Summon the said John Kearns to personally be and
appear before the Judges of the said Hendricks Circuit Court, on the first
day of their next April term, to be holden at the Court house in the town
of Danville on the third Monday in April next to shew cause if any he
has why execution shall not be awarded against him in favour of
the State of Indiana on said Judgment & have you then & there this writ
Given under my hand with the seal of said Court affixed at
Danville, this 21st day of February AD 1833 S.T. Hadley &c,&c,&c,

Afterwords, towit, on the fifteenth day of April in the year of our Lord
One Thousand Eight hundred and thirty three, at a term of the Hendr
icks Circuit Court began and held at the Court house in the town of
Danville by the Honorable the Judges aforesaid, the same being the first
Judicial day of April Term of said Court in the year last aforesaid Come
Herod for the State and the defendant although thrice called comes
not but makes default, and it appearing that the procss in this behalf
has been returned not found It is considered by the Court here, that
the State of Indiana have execution against the goods and chattles
Lands and tenements of the said John Kearns for the said Sum of
of One hundred dollars and also for the sum of ten dollars and
15 cents for the costs and charges in this behalf expended, and the
defendant in mercy &c And afterwords the aforesaid Cause
was taken up by the defendant to the Supreme Court by a writ of error

of the Hendricks Circuit Court, began and held at the Court house in the town of Dannille and said day comes Harvey Gregg attorney who prosecutes the pleas of the State, and the said John Kearns being three called comes not but makes default, and Thomas Samuel the security of the said John Kearns being also called and required to bring into Court the body of the said John in discharge of this recognizance comes not, nor hath he the body of the said John in discharge of his said undertaking It is therefore considered by the Court that the said recognizance is forfeited, and hath become absolute and the State of Indiana recover of the said John Kearns and Thomas Samuels severally the amount of the said recognizance, and it is ordered that Several writs of Scirefacias issue against the said recognizors requiring them to appear before the Judges of this Court on the first day of their next term to shew cause if any they have why the State of Indiana shall not have her execution against them for the amount of the said Judgment. And whereas agreeably to the above order, a writ of Scirefacias issued from the Clerks office of said Court, in said County on the 12th day of September A.D. 1832 directed to the Sheriff of said County, Commanding him the said to summon the said John to appear and shew cause as above required &c and made returnable to the first day of the October term of said Court 1832 which writ was returned accordingly on the first day of said term of the said Court, it being the 15th day of October 1832 with the following endorsement thereon, towit, Came to hand Sept 14th 1832, the within named Kearns is not found in my County Thos Nichols Shff H.C.

And whereas afterwards, towit, on the same day and year last aforesaid came Gregg who prosecutes the pleas of the State, and the writ herein being having been returned as aforesaid, an alias Scirefacias was awarded

You are therefore hereby commanded, as you have heretofore been commanded, to Summon the said John Kearns to personally be and appear before the Judges of the said Hendricks Circuit Court, on the first day of their next April term, to be holden at the Court house in the town of Danville on the third Monday in April next to shew cause if any he has why execution shall not be awarded against him in favour of the State of Indiana on said Judgment & have you then & there this writ

Given under my hand with the seal of said Court affixed at Danville, this 21st day of February AD 1833 S.V. Hadley C.H.C.C.

Afterwards, towit, on the fifteenth day of April in the year of our Lord One Thousand Eight hundred and thirty three, at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville by the Honorable the Judges aforesaid, the same being the first Judicial day of April Term of said Court in the year last aforesaid comes Herod for the State and the defendant although thrice called comes not but makes default, and it appearing that the process in this behalf has been returned not found It is considered by the Court here, that the State of Indiana have execution against the goods and chattles Lands and tenements of the said John Kearns for the said Sum of One hundred dollars and also for the sum of ten dollars and 15 cents for the costs and charges in this behalf expended, and the defendant in mercy &c And afterwards the aforesaid Cause was taken up by the defendant to the Supreme Court by a writ of error

And afterwards, towit, on the Seventh day of August in the year of our Lord One Thousand Eight hundred and thirty four, the following opinion and Judgment of the Supreme Court was filed in the clerks office of the Hendricks Circuit Court, towit, The ~~State~~ of Indiana Supreme Court, May Term AD 1834 Monday May the ~~6th~~ 26th AD 1834 Present the Honorable Isaac Blackford, ~~Stephen C. Stevens~~ & John T. McKinney Judges

John Kerns vs The State of Indiana, In error to the Hendricks circuit Court At this time come the parties by their Counsil, and the Court being sufficiently advised of the premises, give the following opinion & Judgment pronounced by Judge Blackford Kerns was indicted at the October term of the Hendricks Circuit, 1831, for adultry; & procep on the indictment was ipsued against him, An endorsement on the procep requird the Sheriff to take bail, & to bind Kerns and his security in the sum of 100 dollars each, for Kerns's appearance &c The Sheriff upon serving the procep, took from Kerns & ~~and his security~~ John Kerns & an obligation as follows Know all men by these presents that we, Thomas Samuel are held and firmly bound unto the State of Indiana in the penal sum of 100 dollars each, for the true payment of which sum well and truely to be made, bind ourselves, our heirs &c, as witness our hands & seals this 22d day of October 1831 The condition of the above obligation is such, that Should the above bound John Kerns personally be and appear before the Judges of the Hendricks Circuit, on the first day of their next April term to be holden at Danville, then and there to answer unto the State of Indiana, on a certain charge exhibited against him for living in adultery, to such other matters and things as may then & there be charged against him, & not depart thence without leave of said court, then and in that case the above obligation to be void, otherwise to remain in force

Signed & sealed in my presence & by me } John Kerns (Seal)
approved Thos Nichols Shff HC } Thomas Samuel (Seal)

This obligation, together with the procep, was returned to the court on the first day of April Term, 1832, & Kerns being then called failed to appear; & Samuel being called to bring Kerns into court, also made default, The court thereupon ordered, that the recognizance be forfeited; that the State recover of Kerns & Samuel severally the amount of the recognizance, & that several writs of Scirefacias ipsue against the recognizors, to shew cause why execution should not ipsue against them for the amount of the said Judgment. In September, 1832, a Scirefacias ipsued, requiring the Sheriff to Summon Kerns to appear before the Judges of the Hendricks Circuit court, on the first day of their next Oct'b term to be holden at the Court House in Danville, on the third Monday in said month to shew cause &c. At the Octob'r term, 1832, this Scirefacias was returned not found. An alias Scirefacias was then ipsued, which was afterwards, at the April Term, 1833, also returned, not found, on the return of the alias Scirefacias, Kearns being called & failing to answer, the court awarded execution against him, for 100 dollars, which was the amount of the obligation, together with costs. Kerns the Plaintiff in error, contends, that the obligation executed by him for his appearance to the indictment, is a penal bond, and not a recognizance; & that therefore and action of debt, & not a Scirefacias, was the remedy for its forfeiture, The provisions of the statute, under which this obligation is taken is as follows It shall be the duty of the Circuit Court,

to make an order fixing the amounts in which each person indicted shall be held to bail, & the clerks upon issuing process against such person person. shall endorse upon the process, a memorandum of the said amount of bail required, & the Sheriff in taking security for the appearance of such indicted person, shall govern himself accordingly & recognizances for the appearance of any person accused of offences taken and acknowledged before a proper officer, shall not be void for the want of form R.C. 1831 p. 197. A recognizance is not usually signed or sealed by the recognizance. It is witnessed by the record of the court in which is taken, or to which it is returned by the officer, who takes it. It is an obligation of record, entered into before some Court of record or before some officer duly authorized, with a condition to do some particular act, 2 Black Com 341 The obligation before us is in a certain penal sum, conditioned for Kerns appearance at Court. The only objection against its being a recognizance is, that it is signed and sealed by the party. We do not conceive that the signature & seal can, of themselves prevent this instrument from being considered a recognizance. To determine its character we have only to enquire, whether it has been duly acknowledged before the proper officer. The Sheriff who was authorized to take the recognizance, certifies on the face of the obligation, that it was signed and sealed in his presence, and approved by him This certificate settels the question. The obligation was duly acknowledged before the proper officer; & it cannot be a substantial objection to its character as a recognizance, that the acknowledgment was made under the hand and seal of the party, instead of being only verbally made. The instrument is, in substance, a valid recognizance If there be any defect in its form, that is cured by the Statute under which it was taken. It is also contended, that the Scirefacias states no time for the defendants appearance to shew cause. The Sheriff is commanded by the writ to summon the defendant to appear before the Judges on the first day of their next Octb Term, to be holden on the third Monday in said month. It is said that Octb expresses no particular month This objection is too slight. The abbreviated word could not be mistaken. But strike it out & also the words "in said month," and the writ then requires the defendants to appear, &c at Court on the first day of their next term, which is sufficiently explicit

It is further objected, that two returns of not found to a Scirefacias do not authorize the State to proceed as if the writ had been served According to our Statute, if the Sheriff cannot find the defendant he may return the Scirefacias not found R.C. 1831 p 412 The return of not found, therefore, is similar to that of "Nihil" & as, according to the books of practice, to returns of "Nihil" are equivalent to a service So must also under the Statute, be two returns of "not found" There is besides, in the act relative to Justices of the Peace, an express provision that two returns of "Nihil" or of not found, shall be deemed equivalent to the Service of the Scirefacias. It is probable from the general mode of expression, that this provision was intended to be general, & not to be confined to writs of Scirefacias in the particular case mentioned in the section in which the provisions provisions inserted R.C. 1831 p 309 The last objection of the

plaintiff in error is that the court erred when, after declaring the recogn=
izance forfeited, they gave Judgment that the State should recover the amount
mentioned in the recognizance. This objection is only as to a matter of
form. The Judgment rendered in this case is nothing more than what
is implied by the declaration of forfeiture. It is for the amount of the
recognizance which was already ~~delivered~~ declared forfeited, & may be
considered merely as surplusage. A part of this Judgment as it stands,
is, that a Scirefacias should issue against the defendant, to shew cause
why and execution should not issue for the amount, which is the same
proceeding that would have taken place, had the Judgment complained
of not been rendered. There is nothing in the objection The Judgment
must be affirmed. It is, therefore considered by the court, now here that
the Judgment of the Circuit Court be in all things affirmed, which is ordered
to be certified to said court. The State of Indiana ss I Henry P. Coburn
Clerk of said Supreme Court, do hereby certify that the foregoing is a full,
true, and complete copy of the opinion & Judgment of said court
in the above ~~cause~~ entitled cause In Testimony whereof I have hereto
set my hand and affixed the seal of said court at Indianapolis, this
20th day of June AD 1834 H. P. Coburn C.S.C.

Be it remembered before the Honorable Bethuel F. Morris President Judge of the fifth
Judicial Circuit of the State of Indiana, and Elijah Anderson & Thomas Lockhart
Esquires Associate Judges of the Hendricks Circuit Court within and for the county
of Hendricks, at the April Term of said Court in the year of Our Lord One Thousand
Eight Hundred and thirty three, began and held at the Court House in the town
of Danville by the Honorable the Judges aforesaid, to wit,

The State of Indiana }
vs } Scirefacias on Recognizance No. 2
John Kerns }

Be it remembered that heretofore, to wit, on the sixteenth
day of April in the year aforesaid, the same being the first Judicial day of the
term aforesaid before the Honorable the Judges aforesaid, Thomas Nichols sheriff
of Hendricks County returned into Court the following bond of recognizance
to wit, Know all men by these presents that we Emily, otherwise Melly Davis
and John Kerns, both of the County of Hendricks and State of Indiana, are
held and firmly bound unto the State of Indiana in the penal sum
of One Hundred dollars each for the true payment of which Well and truly
to be done made we bind Ourselves, Our heirs &c. as witness our hands and
seals this 22d day of October 1831 The condition of the above obligation is such
Now Should the above bounden Emily Davis personally be and appear
before the Judges of the Hendricks Circuit Court on the first day of their next
April term to be holden at the Court House in Danville, then and there to
answer unto the State of Indiana on a certain charge Exhibited against her
for living in adultry, and to such other matters and things as may then
& there be charged against her, and not depart thence without leave of said
court then and in that case the above obligation to be void, and of none effect, other
wise to remain in full force & virtue in law & equity
signed, sealed in my presence & by me approved
Thos Nichols Sheff &c, }

Melly Davis (Seal)
John Kerns (Seal)

And afterwords, towit, on the Sixteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty two the same being the first Judicial day of the April term of the Hendricks Circuit Court began and held at the Court House in the town of Danville by the Judges aforesaid

And Now Comes Grigg who prosicutes the Pleas of the State, and the defendant although thrice called comes not, but makes default, and John Kerns the Security of the said Melly being also called and requird to bring into Court the body of the said Melly in discharge of his said undertaking herein wholly fails. It is, therefore considered by the Court that that the said recognizance is forfeited and hath become absolute and that the State of Indiana recover of the said recognizors severally the said Sums in the said recognizance mentioned. And it is ordred that Sveral writs of Scirefacias ipsue against the said defendants requiring them to appear before the Judys of this Court on the first day of their next term, and shew cause if any they have why the said State shall not have execution against them for the amount of the said recovery.

And afterwords, towit, on the thirteenth day of September in the year of our Lord One Thousand Eight hundred and thirty two, a writ of Scirefacias ipsued from the Clerks office of the said Hendricks Circuit Court agreeably to the above Order. which said writ of Scirefacias is in the words and figures following, towit, State of Indiana

The State of Indiana, to the Sheriff of Hendricks County Greeting

Whereas the Grand Juros empannelled, charged and sworn at the October Term of the Hendricks Circuit Court A.D. 1831 to enquire in and for the body of said County, did on the 15th day of said month and at the said term of said Court return into said Court, an Indictment against one Emely, otherwise Milly Davis, charging her with living in open and notorious adultry with one John Kearns contrary to the form of the Statute in such case made and provided & against the peace and dignity of the State of Indiana, and afterwords towit, on the 20th day of October in the year aforesaid a writ ipsued from the clerks office in said County directed to the Sheriff of Hendricks County Commanding him to take the body of the said Emely, otherwise Milly Davis, and her safely Keep, so that he should have her body before the Judges of the Hendricks Circuit Court on the first day of their next April term, in the year of our Lord 1832 to answer unto the State of Indiana, on an indictment for adultry aforesaid, upon the back of which was the following endorsement, towit, The Sheriff will take bail in this case with one Security in the Sum of One Hundred dollars each, and afterwords, towit, on the 16th day of April in the year of Our Lord one Thousand Eight Hundred and thirty two the same being the first day of the April Term of the Hendricks Circuit Court A.D. 1832 The above mentioned writ was returned into Court by the Sheriff of said County, purporting to have been Served on the body of the said defendant, and also on the same day and at the same time the said Sheriff also returned into Court the following Bond of recognizance, towit,

Know all men by these presents, that we Emily otherwise Milly Davis and John Kearns, both of the County of Hendricks and State of Indiana, are held and firmly bound unto the State of Indiana

And afterwords, towit, on the Sixteenth day of April in the year of our Lord One Thousand Eight hundred and thirty two the same being the first Judicial day of the April term of the Hendricks Circuit Court began and held at the Court House in the town of Danville by the Judges aforesaid

And Now Comes Gregg who prosicutes the Pleas of the State, and the defendant although thrice called comes not, but makes default, and John Kerns the Security of the said Melly being also called and required to bring into court the body of the said Melly in discharge of his said undertaking therein wholly fails. It is, therefore considered by the court that that the said recognizance is forfeited and hath become absolute and that the State of Indiana recover of the said recognizors severally the said sums in the said recognizance mentioned. And it is ordered that several writs of Scirefacias issue against the said defendants requiring them to appear before the Judges of this court on the first day of their next term, and shew cause if any they have why the said State shall not have execution against them for the amount of the said recovery.

And afterwords, towit, on the thirteenth day of September in the year of our Lord one Thousand Eight hundred and thirty two, a writ of Scirefacias issued from the Clerks office of the said Hendricks Circuit Court agreeably to the above Order. which said writ of Scirefacias is in the words and figures following, towit, State of Indiana

The State of Indiana, to the Sheriff of Hendricks County Greeting

Whereas the Grand Jurors empannelled, charged and sworn at the October Term of the Hendricks Circuit Court A.D. 1831 to enquire in and for the body of said County, did on the 15th day of said month and at the said term of said Court return into said Court, an Indictment against one Emely, otherwise Milly Davis, charging her with living in open and notorious adultry with one John Kearns contrary to the form of the Statute in such case made and provided & against the peace and dignity of the State of Indiana, and afterwords towit, on the 20th day of October in the year aforesaid a writ issued from the clerks office in said County directed to the Sheriff of Hendricks County Commanding him to take the body of the said Emely, otherwise Milly Davis, and her safely Keep, so that he should have her body before the Judges of the Hendricks Circuit court on the first day of their next April term, in the year of our Lord 1832 to answer unto the State of Indiana, on an indictment for adultry aforesaid, upon the back of which was the following endorsement, towit, The Sheriff will take bail in this case with one security in the sum of One Hundred dollars each, and afterwords, towit, on the 16th day of April in the year of Our Lord one Thousand Eight Hundred and thirty two the same being the first day of the April Term of the Hendricks Circuit Court A.D. 1832 The above mentioned writ was returned into Court by the Sheriff of said County, purporting to have been served on the body of the said defendant, and also on the same day and at the same time the said Sheriff also returned into Court the following Bond of recognizance, towit,

Know all men by these presents, that we Emily otherwise Milly Davis and John Kearns, both of the County of Hendricks and State of Indiana, are held and firmly bound unto the State of Indiana

in the penal sum of one hundred dollars each, for the true payment of which well and truly to be made, we bind ourselves our heirs &c as witness our hands and seals this 22d day of October 1831 The condition of the above obli= =gation is such now Should the above bounden Emely Davis personally be and appear before the Judges of the Hendricks Circuit Court, on the first day of their next April term to be holden at the Court house in Danville then and there to answer unto the State of Indiana on a certain charge exhibited against her for living in adultry, and to such other matters & things as may then & there be charged against her and not depart thence without leave of said Court, then and in that case the above obligation to be void and of none effect, otherwise to remain in full force and virtue in Law and Equity

Milly Davis (Seal)
John Kerns (Seal)

Sejud. Sealed in my presence & by me approved Thos Nichols Shff H.C.

And afterwards, towit, on the Sixteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty two the same being the first day of the April term of the Hendricks Circuit Court A.D. 1832 comes Gregg who prosecutes the pleas of the State and the said defendant although thrice called comes not, but makes default and John Kerns the security of the said Milly being also called and required to bring into Court the body of the said Milly in discharge of his said undertaking, herein wholly fails It is therefore considered by the court that the said recognizance, is forfeited and hath become absolute, and that the State of Indiana recover of the said recognizors severally the said sums in the said recognizance mentioned And it is ordered, that several writs of Scirefacias ifsue against the said defen= =dants requiring them to appear before the Judges of this court on the first day of their nesxt term, and shew cause if any they have why the said State shall not have execution against them for the amount of of the said recovery. You are therefore hereby commanded that you Summons the said John Kerns to personally be and appear before the Judges of the said Hendricks Circuit Court on the first day of their next term, to be holden at the Court House in the Town of Danville on the third Monday in October next to Shew cause if any he has why execution shall not be awarded against him in favour of the State of Indiana on said Judgment, And have you then and there this writ Given under my hand with the seal of said court affixed at the Clerks office in Danville this 13th day of Sept 1832

S J Hadley C.H.C.C.

And afterwards towit On Monday the fifteenth day of October in the last aforesaid the same being the first Judicial day of the October term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville by the Honorable the Judges aforesaid, the foregoing writ of Scirefacias was returned into Court by the Sheriff of said County with the following endorsement ~~endorsement~~ thereon, towit, Came to hand Sept 14th 1832 the within named Kerns is not found in my county

Thos Nichols Shff H.C.

And thereupon an alias Scirefacias was awarded, and this cause Continued, And afterwards, towit, on the twenty sixth day of February in the year of our Lord One Thousand Eight hundred and thirty three an alias Scirefacias ifsued from the Clerks office of the said Hendricks Circuit Court agreeably to the above order which said writ of Scirefacias is in the words and figures following, towit,

State of Indiana Hendricks County ss The State of Indiana, to the
Sheriff of Hendricks County, Greeting; Whereas the Grand Jurors im
-annelled, charged and sworn at the October term of the Hendricks cir
-cuit court AD 1831 to enquire in and for the body of said County, did on
the 15th day of said month and at the said term of said court return
into said court an Indictment against one Emily otherwise Milly Davis
charging her with living in open and notorious adultry with one
John Kearns contrary to the form of the Statute in such case made
& provided, & against the peace and dignity of the State of Indiana
And afterwords, towit, on the 20th day of October in the year aforesa
a writ issued from the Clerks Office in said County directed to the Shff
of said County commanding him to take the body of the said Emily
otherwise Milly Davis, and her safely keep so that he should have
her body before the Judges of the Hendricks circuit court, on the
first day of their next April term in the year of our Lord on
Thousand Eight hundred and thirty two. to answer unto the State o
Indiana on an Indictment for adultery aforesaid, upon the ba
of which writ was the following endorsement, towit, The Sheriff wil
take bail in this case with one security in the sum of One hundre
dollars each. And afterwords, towit, on the 16th day of April in th
year of our Lord 1832 the same being the first day of the April te
of the Hendricks Circuit Court AD 1832 The above mentioned writ w
returned into Court by the Sheriff of said County purporting to have
been served on the body of the said defendant and also at the same
time the said Sheriff returned into Court the bond of recognizance hereto
copied in this record (which said bond is here copied in the alias scirpa
and afterwords, towit, on the 16th day of April in the year of our Lo
1832 the same being the first day of the April Term of the Hendricks
Circuit Court AD 1832 Came Grigg who prosecutes the pleas of the Stat
and the said defendant although thrice called comes not but make
default, and John Kearns the Security of the said Milly being
also called and required to bring into court the body of the said
Milly in discharge of his said undertaking herein wholly fails,

It is therefore considered by the court that the said recognizance
is forfeited and hath become absolute. And that the State of Indiana
recover of the said recognizors severally the said sums in the said rec
-nizance mentioned. And it is ordered that several writs of Scirefac
issue against the said defendants requiring them to appear before
the Judges of this Court on the first day of their next term, and
and shew cause if any they have why the said State shall not
have execution against them for the amount of the said recovery
And whereas agreeably to the above order a writ of Scirefacias issued
from the Clerks Office of said Court in said County on the 13th day
of September 1832 directed to the Sheriff of said County, Commandi
him to summon the said John Kearns the Security of the said Milly
to appear and shew cause as above required & and made returnable to
the first day of the October Term of said Court 1832 which writ was
returned accordingly on the first day of said term of said Court with
the following endorsement thereon, towit, Came to hand Sept 14th 18
the within named Kearns is not found in my county Thos Nichols H.C.

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State of Indiana Hendricks County ss The State of Indiana, to the Sheriff of Hendricks County, Greeting; Whereas the Grand Jurors imp=annuled. charged and sworn at the October term of the Hendricks cir=cuit court AD 1831 to enquire in and for the body of said County, did on the 15th day of said month and at the said term of said court return into said Court an Indictment against one Emily otherwise Milly Davis charging her with living in open and notorious adultry with one John Kearns contrary to the form of the Statute in such case made & provided, & against the peace and dignity of the State of Indiana And afterwords, towit, on the 20th day of October in the year aforesaid a writ issued from the Clerks Office in said County directed to the Shff of said County commanding him to take the body of the said Emily otherwise Milly Davis, and her safely keep so that he should have her body before the Judges of the Hendricks circuit court, on the first day of their next April term in the year of our Lord One Thousand Eight hundred and thirty two. to answer unto the State of Indiana on an Indictment for adultery aforesaid, upon the back of which writ was the following endorsement, towit, The Sheriff will take bail in this case with one security in the sum of One hundred dollars each. And afterwords, towit, on the 16th day of April in the year of our Lord 1832 the same being the first day of the April term of the Hendricks Circuit Court AD 1832 The above mentioned writ was returned into Court by the Sheriff of said County purporting to have been served on the body of the said defendant and also at the same time the said Sheriff returned into Court the bond of recognizance hereto=for copied in this record (which said bond is here copied in the alias Scirfacias) and afterwords, towit, on the 16th day of April in the year of our Lord 1832 the same being the first day of the April Term of the Hendricks Circuit Court AD 1832 Come Grigg who prosecutes the pleas of the State and the said defendant although thrice called comes not but makes default, and John Kearns the security of the said Milly being also called and required to bring into court the body of the said Milly in discharge of his said undertaking herein wholly fails.

It is therefore considered by the court that the said recognizance is forfeited and hath become absolute. And that the State of Indiana recover of the said recognizors severally the said sums in the said recog=nizance mentioned. And it is ordered that several writs of Scirfacias issue against the said defendants requiring them to appear before the Judges of this Court on the first day of their next term, and and shew cause if any they have why the said State shall not have execution against them for the amount of the said recovery

And whereas agreeably to the above order a writ of Scirfacias issued from the Clerks Office of said Court in said County on the 13th day of September 1832 directed to the Sheriff of said County, Commanding him to Summon the said John Kearns the Security of the said Milly to appear and shew cause as above required & and made returnable to the first day of the October Term of said Court 1832 which writ was returned accordingly on the first day of said term of said Court with the following endorsement thereon, towit, Came to hand Sept 14th 1832 the within named Kearns is not found in my county Thos Nichols H.C.

And Whereas afterwards, towit, on the 15th day of October 1832 the same being the first day of the October term of the Hendricks Circuit Court. came Bragg who prosecutes the pleas of the State and the writ herein having been returned as aforesaid, an alias Scirefacias was awarded. You are therefore hereby commanded as you have heretofore been commanded that you summon the said John Kerns to personally be and appear before the Judges of the Hendricks Circuit Court on the first day of their next term to be holden at the Court House in the town of Danville on the third monday in April next to shew cause if any he has why Execution shall not be awarded against him in favour of the State and said Judgment, and have you then & there this writ Given under my hand. with the seal of said Court affixed at the Clerks office in Danville this 26th day of February A.D. 1833

P. Hadley C.H.C.C.

And afterwards, towit, on Monday the fifteenth day of April in the year of Our Lord one Thousand Eight hundred and thirty three. the same being the first Judicial day of the April term of the Hendricks Circuit Court, began and held at the Court house in the town of Danville by the Honorable the Judges aforesaid the said alias Scirefacias was returned into Court by the Sheriff of said County with the following endorsement thereon, towit. Came to hand February 27th 1833 the within named Deft is not found in my County

Thos Nichols Shff C.H.C.

And thereupon come Herod for the State, and the said defendant although three calls comes not, but makes default, and it appearing that a second writ of Scire facias has been returned in this behalf It is considered by the court now here, that the State of Indiana have execution against the goods and chattels lands and tenements of the said John Kerns for the said Sum of One hundred dollars, and also for the the Sum of Eight dollars and ninety cents for the costs and charges in this behalf expended, and the defendant in mercy &c

And afterwards the foregoing entitled cause was taken up by a writ of Error to the Supreme Court, by the defendant, and afterwards towit on the Seventh day of August in the year of Our Lord one Thousand Eight hundred and thirty four, the following Judgment of the Supreme Court in said Cause, was filed in the clerks office of the Hendricks Circuit Court, towit. State of Indiana, Supreme Court, May Term A.D. 1834 Monday May the 26th A.D. 1834 Present the Honorable Isaac Blackford Stephen C Stevens & John T McKinney Judges, John Kerns vs The State of Indiana In Error to the Hendricks Circuit Court. At this time come the parties by their council and the Court being sufficiently advised of the premises, give the following Judgment. It is considered by the court now here, that the Judgment of the Circuit Court, be in all things affirmed which is ordered to be certified to said court

The State of Indiana ss I Henry P Coburn Clerk of said Supreme Court, do hereby certify, that the foregoing is a full, true, and compete copy of the Judgment of said Court, in the above entitled cause.

In Testimony whereof I have hereto set my hand & affixed the seal of said court at Indianapolis this 20th day of June A.D. 1834 H.P. Coburn C.S.C.

October Term A.D. 1834

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Willcox Esquires Associate Judges of the Hendricks Circuit Court, within and for the county of Hendricks. at the October term of the said court, in the year of our Lord One Thousand Eight hundred and thirty four, court,

State of Indiana
vs
Noah Cude
} Indictment for Gaming

Be it remembered that heretofore, towit, at a Term of the Hendricks Circuit court began and held at the Court House in the town of Danville on Monday the fourteenth day of October in of our Lord One Thousand Eight hundred and thirty three. before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, Associate Judges of the Hendricks Circuit Court, by the oath of Abner Ragan Forman, and his fellows, Solomon Blount, Augustine Ellis, Archibald Smith, Zenas Foster, Daniel C Kelly, James Anderson John S Walker, Abraham Spicklemier, Jonathan M'Daniel, Samuel Carter, Eli Townsend, Thomas Hooton, Erasmus Nichols & John Hannah Grand Jurors for the State of Indiana, empanneled, sworn & charged to enquire in and for the body of the county of Hendricks in behalf of the said State of Indiana, present as follows, towit,

State of Indiana Hendricks County ss, Hendricks Circuit Court, at the October term thereof in the year of our Lord One Thousand Eight hundred and thirty three; Hendricks County, towit, The Grand Jurors for the State of Indiana, empanneled, sworn and charged to enquire within and for the body of the county of Hendricks, and State aforesaid upon their oath, present that Noah Cude late of said county Gentleman, on the first day of August in the year Eighteen hundred and thirty three, with force and arms, at and in the county aforesaid upon and then and there in of and from One Joseph Waford, then and there being, at and upon a certain game at and with Cards, then and there played, by and between the said Noah Cude and the said Joseph Waford one dollar in money, which he the said Noah Cude then and there won and took from him the said Joseph Waford, by then and there betting, at and upon the said game, at with cards as aforesaid, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

William Herod Prosecutor

The foregoing bill of Indictment was endd on the Seventeenth day of October in the year last aforesaid returned into Court with the following endorsement thereon, towit, "A true bill Abner Ragan forman of the grand Jury

And afterwards, towit, on the day and year last aforesaid, the same being the fourth day of the term aforesaid before the Honorable Elijah Anderson and Thomas Lockhart Esquires Associate Judges as aforesaid, Come Herod who prosecutes the pleas of the State, and the said defendant personally comes also, and being arraigned upon said Indictment, saith he is not guilty as charged, and for the trial thereof puts upon the Country, and the attorney for the State doth the like, and thereupon comes the said Noah Cood

October Term A.D. 1834

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Willson Esquires Associate Judges of the Hendricks Circuit Court, within and for the county of Hendricks, at the October term of the said Court, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

State of Indiana
vs
Noah Code
} Indictment for Gaming

Be it remembered that heretofore, towit, at a Term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of October in the year of our Lord One Thousand Eight hundred and thirty three before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, associate Judges of the Hendricks Circuit Court, by the oath of Abner Ragan Forman, and his fellows, Solomon Blount, Augustine Ellis, Archibald Smith, Zenas Foster, Daniel C Wells, James Anderson, John S Walker, Abraham Spicklemier, Jonathan M'Daniel, Samuel Carter, Eli Townsend, Thomas Wooton, Erasmus Nichols & John Hannah Grand Jurors for the State of Indiana, empannelled, sworn & charged to enquire in and for the body of the county of Hendricks in behalf of the said State of Indiana, present as follows, towit,

State of Indiana Hendricks County ss, Hendricks Circuit Court, at the October term thereof in the year of our Lord One Thousand Eight hundred and thirty three; Hendricks County, towit, The Grand Jurors for the State of Indiana, empannelled, sworn and charged to enquire within and for the body of the county of Hendricks, aforesaid and State upon their oath, present that Noah Code late of said county Gentleman, on the first day of August in the year Eighteen hundred and thirty three, with force and arms, at and in the county aforesaid upon one then and there was of and from One Joseph Waford, then and there being, at and upon a certain game at and with, upon Cards, then and there played, by and between the said Noah Code and the said Joseph Waford one dollar in money, which he the said Noah Code then and there won and took from him the said Joseph Waford, by then and there betting, at and upon the said game, at with cards as aforesaid, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

William Herod prosecutor

The foregoing bill of Indictment was made on the twentieth day of October in the year last aforesaid returned into Court with the following endorsement thereon, towit, "A true bill Abner Ragan forman of the grand Jury"

And afterwards, towit, on the day and year last aforesaid, the same being the fourth day of the term aforesaid before the Honorable Elijah Anderson and Thomas Lockhart Esquire Associate Judges as aforesaid, Come Herod who prosecutes the pleas of the State, and the said defendant personally came also, and being arraigned upon said Indictment, saith he is not guilty charged, and for the trial thereof puts upon the country, and the attorney for the State doth the like, and thereupon comes the said Noah Code

October Term A.D. 1834

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Willson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the October term of the said Court, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

State of Indiana
vs
Noah Code
} Indictment for Gaming

Be it remembered that heretofore, towit, at a Term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of October in the year of our Lord One Thousand Eight hundred and thirty three before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, Associate Judges of the Hendricks Circuit Court, by the oath of Abner Ragan Forman, and his fellows, Solomon Blount, Augustine Ellis, Archibald Smith, Zenas Foster, Daniel C Kelly, James Anderson John S Walker, Abraham Spicklemier, Jonathan M'Daniel, Samuel Carter, Eli Townsend, Thomas Hooton, Erasmus Nichols & John Hannah Grand Jurors for the State of Indiana, empannelled, sworn & charged to to enquire in and for the body of the county of Hendricks in behalf of the said State of Indiana, present as follows, towit,

State of Indiana Hendricks County ss, Hendricks Circuit Court, at the October term thereof in the year of our Lord One Thousand Eight hundred and thirty three; Hendricks County, towit, The Grand Jurors for the State of Indiana, empannelled, sworn and charged to enquire within and for the body of the county of Hendricks, aforesaid and State upon their oath, present that Noah Code late of said County Gentleman, on the first day of August in the year Eighteen hundred and thirty three, with force and arms, at and in the County aforesaid upon and then and there in of and from One Joseph Wafford, then and there being, at and upon a certain game at and with Cards, then and there played, by and between the said Noah Code and the said Joseph Wafford one dollar in money, which he the said Noah Code then and there won and took from him the said Joseph Wafford, by then and there betting, at and upon the said game, at with cards as aforesaid, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

William Herrod Prosecutor

The foregoing bill of Indictment was made on the seventeenth day of October in the year last aforesaid returned into Court with the following endorsement thereon, towit, "A true bill Abner Ragan forman of the grand Jury

And afterwards, towit, on the day and year last aforesaid, the same being the fourth day of the term aforesaid before the Honorable Elijah Anderson and Thomas Lockhart Esquires Associate Judges as aforesaid, Come Herrod who prosecutes the pleas of the State, and the said defendant personally comes also, and being arraigned upon said Indictment, saith he is not guilty as charged, and for the trial thereof puts upon the Country, and the attorney for the State doth the like, and thereupon comes the said Noah Code

and Peter Mr Roberts who severally acknowledge themselves to owe and be indebted to the State of Indiana in the sum of fifty dollars each, to be levied of their respective goods and chattels, Lands and tenements, if default be made in the condition following, towit, which is that the said Noah Cood shall be and personally appear before the Judges of this court on the first day of their next term and answer to the said Indictment for Gaming, and not depart without leave of the court; and this cause is continued And afterwords towit, on the Eighteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, the same being the fifth Judicial day of April term of the court aforesaid, held at the court house in the town of Danville by the honorable the associate Judges aforesaid, Came Herod prosecuting the pleas of the State, and the defendant Comes also in his own proper person, together with Thomas Nichols & James Pigerson as his securities, and the said Cood acknowledges himself to owe and be indebted unto the State of Indiana in the sum of fifty dollars, and the said Thomas Nichols and James Pigerson acknowledge themselves to owe and be indebted unto the said State of Indiana in the sum of twenty five dollars each to be levied of their respective goods & Chattels, Lands and Tenements if default be made in the condition following that the said Noah Cood shall personally be and appear befor the Judges of this Court on the first day of their next term and traverse the said Indictment for gaming, and not depart without leave of the court And afterwords towit on thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four, the being the first Judicial day of the October term of the Hendricks Circuit Court, began and held in the town of Danville by the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson and Gideon Wellson Esquires, associates Judges as aforesaid, Came Herod who prosecutes the pleas of the State, and the defendant personally comes also, and by his attorney moves the court to quash the said Indictment, and the premises being seen the said motion is overruled And the said Noah Cood being arraigned upon the said Indictment, says he is not guilty, and for trial thereof puts himself upon the country, and the attorney for the State doth the like. And by agreement this cause is submitted to the court without the intervention of a Jury. and the proofs being heard, it is considered by the court now here that the defendant is guilty as charged, and that he make this fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution, and it is ordered that the defendant Stand committed in the custody of the sheriff until the said fine and costs are paid or replevied

Plea before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, in and for the county of Hendricks, at the October term of said court, began and held at the court house in the town of Danville, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

State of Indiana
vs
Joseph Wasford } Scirefacias on Recognizance

Be it remembered that heretofore, towit on the fourteenth day of April in the year aforesaid, the same being the first Judicial day of the April Term of said court in the year aforesaid, began and held at the court house in the town of Danville by the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges in and for the County of Hendricks, and before the said Judges the following bond of recognizance was returned, towit,

We Joseph Wasford and Benjamin Wasford are held and firmly bound unto the State of Indiana in the sum of fifty dollars each to the payment of which well and truely to be made we bind ourselves firmly by these presents, sealed with our seals, and dated this the 24th day of March AD 1834 The condition of this Obligation is such that if the above bounden Joseph Wasford shall be and appear in Danville on the second monday in April 1834 there to answer unto the said State of Indiana in an indictment for Gaming committed in said County, then this obligation to be null and void, otherwise to be and remain in full force and virtue effect in law Joseph Wasford (Seal)
Test Alfred S Burton Benjamin Wasford (Seal)

And afterwards, towit on the Sixteenth day of April in the year last aforesaid, the same being the third Judicial day of the term last aforesaid of the court aforesaid, before the Judges aforesaid, came Herod for the State, and the defendant being thrice called comes not; And Benjamin Wasford the security of the said Joseph being also thrice called and required to bring into court the body of the said Joseph in discharge of his said undertaking, herein wholy fails. It is therefore considered by the court now here that the said recognizance is forfeited, and that the State of Indiana recover of the said Joseph Wasford, and said Benjamin Wasford severally the said sum of fifty dollars each And it is ordered that several writs of Scirefacias issue against each of the said defendants requiring them severally to appear before the Judges of this court, on the first day of the next terms and shew cause if any they have why the state shall not have her writs of execution against them respectfully for the amount of their forfeiture aforesaid. And afterwards, towit, on the fourteenth day of July in the year of our Lord One Thousand Eight hundred and thirty four a writ of Scirefacias issued from the Clerks office of the Hendricks Circuit Court against the said Joseph Wasford agreeably to the above order which said Scirefacias is in the words and figures following towit

State of Indiana Hendricks County The State of Indiana to the

Plea before the Honorable Bethuel F. Morris Presedent Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at the October term of said court, began and held at the Court house in the town of Danville, in the year of our Lord One Thousand Eight hundred and thirty four, towit,

State of Indiana
vs
Joseph Wafford } Scirefacias on Recognizance

Be it remembered that heretofore, towit on the fourteenth day of April in the year aforesaid, the same being the first Judicial day of the April Term of said court in the year aforesaid, began and held at the court house in the town of Danville by the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esqure one of the Associate Judges in and for the County of Hendricks, and ~~[illegible]~~ the said Judges the following bond of recognizance was returned, towit,

We Joseph Wafford and Benjamin Wafford are held and firmly bound unto the State of Indiana in the sum of fifty dollars each to the payment of which well and truely to be made we bind ourselves firmly by these presents, Sealed with our seals, and dated this the 24th day of March AD 1834 The condition of this Obligation is such that if the above bounden Joseph Wafford shall be and appear in Danville on the second monday in April 1834 there to answer unto the said State of Indiana in an indictment for Gaming committed in said County, then this obligation to be null and void, otherwise to be and remain in full force and ~~virtue~~ effect in law Joseph Wafford (Seal)
Test Alfred S. Burton Benjamin Wafford (Seal)

And afterwards, towit on the Sixteenth day of April in the year last aforesaid, the same being the third Judicial day of the term last aforesaid of the court aforesaid, before the Judges aforesaid, came Herod for the State, and the defendant being three called comes not; And Benjamin Wafford the security of the said Joseph being also three called and required to bring into court the body of the said Joseph in discharge of his said undertaking, herein wholy fails. It is therefore considered by the court now here that the said recognizance is forfeited, and that the State of Indiana recover of the said Joseph Wafford, and said Benjamin Wafford severally the said sum of fifty dollars each And it is ordered that several writs of Scirefacias issue against each of the said defendants requiring them severally to appear before the Judges of this Court, on the first day of the next terms and shew cause if any they have why the state shall not have her writs of execution against them respectfully for the amount of their forfeiture aforesaid. And afterwards, towit, on the fourteenth day of July in the year of our Lord One Thousand Eight hundred and thirty four a writ of Scirefacias issued from the Clerks office of the Hendricks Circuit Court against the said Joseph Wafford agreeably to the above order which said Scirefacias is in the words and figures following towit

State of Indiana Hendricks County The State of Indiana to the

Sheriff of Putnam County Greeting; Whereas the Grand Jurors empannelled
charged and sworn at the October Term of the Hendricks Circuit Court AD 1833
to enquire in and for the body of the County of Hendricks did on the 17th
day of said month and at the said term of the court return into said court
an Indictment against one Joseph Waford charging him with Gaming
contrary to form of the Statute, and against the peace and dignity of
the State of Indiana, and afterwards towit on the 24th of February AD 1834
a writ issued from the Clerks office in said county, directed to the Sheriff
of Putnam County commanding him to take the body of the said
Joseph Waford and him safely keep so that he should have his body before
the Judges of the Hendricks Circuit Court on the first day of their next April term
to be holden at the Court House in the town of Danville on the second Monday in
April 1834 to answer unto the State of Indiana on an Indictment for Gaming
on the back of which was the following endorsement, towit, "The Sheriff is required
to take bail in this case with one security in the sum of fifty dollars each, attest,
S.T. Hadley Clerk" And afterwards, towit, on the 14th day of April 1834 the same
being the first day of the April Term of the Hendricks Circuit 1834 the above men=
=tioned writ was returned into said Court with the following return thereon. Came
to hand 5th of March 1834 Served as command Alfred S Burton Dp Shff P6
accompanying the foregoing writ was the following recognizance bond, towit,
which was on the day and year last aforesaid filed in said Court and which
is in the words and figures following, towit, We Joseph Waford & Benjamin
Waford are held and firmly bound unto the State of Indiana in the
sum of fifty dollars each, to the payment of which well and truly to be
made we bind ourselves firmly by these presents, sealed with our seals and
dated this 24th day of March AD 1834 The condition of this obligation is such
that if the above bounden Joseph Waford shall be and appear in Danville
on the second Monday in April 1834 there to answer unto the said State of
Indiana in an Indictment for gaining committed in said County, then
this obligation to be null and void otherwise to be and remain in full force and
effect in law

Joseph Waford Seal
Test Alfred S Burton
Benjamin Waford Seal

And afterwards, towit, on the 16th of April aforesaid in the year last aforesaid
and at the Term of the Court aforesaid At this time comes Wood for the
State and the defendant being thrice called comes not, and Benjamin
Waford the Security of the said Joseph being also thrice called, and
required to bring into Court the body of the said Joseph in discharge
of his said undertaking herein wholly fails It is therefore considered by
the court now here that the said recognizance is forfeited, and that
the State of Indiana recover of the said Joseph Waford and the said
Benjamin Waford Severally the sum of fifty dollars each, And it is
ordered that Several writs of Scirefacias issue against Each of the said
defendants requiring them Severally to appear before the Judges of this
Court on the first day of the next Term and shew cause if any they
have why the State shall not have her writs of execution against
them respectfully for the amount of their forfeitures aforesaid

You are therefore hereby commanded that you Summon the said
Joseph Waford, so that he be and appear before the Judges of the said
Court Hendricks Circuit Court on the first day of their next Term

to be holden at the court house in the town of Danville on the second
Monday in October next to shew cause if any he has why execu
the State of Indiana shall not have execution against his goods and
Chattels, Lands and Tenements for the amount of said Judgment
And have you then there this writ / Given under my hand with the
Seal of said Court office at Danville the 14th day of July AD 18
S J Hadley Clerk

And afterwards, towit, at a term of the Hendricks Circuit Court beg
and held at the court house in the town of Danville on Monday the
thirteenth day of October in the year of our Lord one Thousand Eig
hundred and thirty four by the Honorable the Judges first aforesaid
the foregoing Scirefacias was returned into court with the following
endorsement thereon, towit, "Came to hand October the 3d 1834
Served &c the as commanded Oct the 4th William B Duffield Dpt Shff C
And thereupon came Herod for the State, and the defendant person
came also and filed his demurrer to the said Scirefacias. as follows

And the said defendant by C C Nave his attorney comes and
defends the wrong and injury when &c and says the said Scire
=facias and the matters therein contained in manner and form a
the same are above stated and set forth, are not sufficient in law
for the State of Indiana to have her execution against the goods and
Chattels, Lands and tenements of the said defendant, upon the forfeit
aforesaid, and that he the said defendant, is not bound by law to
answer the same, and this he is ready to verify, wherefore, by reason o
the insufficiency of the said Scirefacias in this behalf, the said
defendant prays Judgment, and that the State of Indiana may be
barred from having her execution against the goods and Chattels
Lands and Tenements of the said defendant &c / C C Nave Allo for Deft
And the Attorney for the State files his Joinder as follows, towit,
And the said plaintiff comes and say that the said Scirefacias
and the matters and things therein contained are sufficient in law
for her to have and maintain her action aforesaid thereof against
the said defendant, and this she is ready to verify, wherefor she
pray Judgment
Herod for Plff
And the premises being seen, It considered by the court now h
that the said Scirefacias is not sufficient in law for the State to h
and maintain her action thereof against the defendant. Ordered
that the defendant as to the said Scirefacias go hence without day

to be holden at the court house in the town of Danville on the second Monday in October next to shew cause if any he has why execution the State of Indiana shall not have execution against his goods and Chattels, Lands and tenements for the amount of said Judgment And have you then there this writ / Given under my hand with the seal of said court office at Danville the 14th day of July AD 1834

P J Hadley Clerk

And afterwards, towit, at a term of the Hendricks Circuit Court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord one Thousand Eight hundred and thirty four by the Honorable the Judges first aforesaid the foregoing Scirefacias was returned into court with the following endorsement thereon, towit, "Came to hand October the 3d 1834 Served the as commanded Oct the 4th William B Duffield Dpt Shff P.C. And thereupon Came Herod for the State, and the defendant personally Came also and filed his demurrer to the said Scirefacias. as follows towit

And the said defendant by C C Nave his attorney Comes and defends the wrong and injury when &c and says the said Scirefacias and the matters therein contained in manner and form as the same are above stated and set forth, are not sufficient in law for the State of Indiana to have her execution against the goods and Chattels, Lands and tenements of the said defendant, upon the forfeiture aforesaid, and that he the said defendant, is not bound by law to answer the same, and this he is ready to verify, wherefore, by reason of the insufficiency of the said Scirefacias in this behalf, the said defendant prays Judgment, and that the State of Indiana may be barred from having her execution against the goods and Chattels of Lands and Tenements of the said defendant &c / C C Nave Allo for Deft

And the Attorney for the State files his Joinder as follows, towit, And the said plaintiff Comes and say that the said Scirefacias and the matters and things therein contained are sufficient in law for her to have and maintain her action aforesaid thereof against the said defendant, and this she is ready to verify, wherefore she prays Judgment

Herod for Plff

and the premises being seen, It Considered by the court now here that the said Scirefacias is not sufficient in law for the State to have and maintain her action thereof against the defendant. Ordered that the defendant as to the said Scirefacias go hence without day

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the said County of Hendricks, at the October term of said Court, began and held at the Court house in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty four, towit,

The State of Indiana
vs
Sanford Carter } Indictment for Gaming

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four. before the honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of the Hendricks Circuit Court, within and for the said County of Hendricks, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fullen, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wynn Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck & Thomas J. Walker Grand Jurors for the State of Indiana empanneled sworn and charged to enquire within and for the body of the County of Hendricks on behalf of the State of Indiana present as follows, towit, State of Indiana Hendricks county ss

Hendricks Circuit Court at the April Term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana empanneled sworn and charged to enquire within and for the body of the said county of Hendricks aforesaid, upon their oath present, that Sanford Carter late of said County Gentleman on the twenty sixth day of December in the year Eighteen hundred and thirty three with force and arms at said County did then and there loose to and pay over to one Robert Long then and there being five dollars in money by them and there betting with the said Robert Long at and upon a certain game and wager to be then and there determined by, with, at and upon a Rotatte Table, which said game and wager was then and there determined, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

And the Jurors aforesaid upon their oath aforesaid do further present, that the said Sanford Carter on the day and year aforesaid with force and arms at the County aforesaid did then and there win and take of and from one Robert Long then and there being five dollars in money by them and there betting with him the said Robert Long at and upon a certain game, to wit, to be then and there determined by, at with and upon a Rotatte Table, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod prosecutor

And afterwards towit on the fifth Judicial of the term of the Court aforesaid the foregoing bill of Indictment was returned into Court with the following endorsement thereon, towit, A True Bill Gideon Wilson foreman of the Grand Jury

And afterwards towit on Monday the thirteenth day of October in the y
of our Lord One Thousand Eight hundred and thirty four, the same be
the first Judicial day of the term of the Court first aforesaid, before the
Honorable the Judges first aforesaid Come Herod for the State and
defendant personally comes also and being arraigned upon the said
-itment, Says he is guilty as charged. And the premises being seen;
is considered by the Court here, that the defendant make his fine to the
of Indiana in the sum of two dollars and pay the costs of this prose

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Pleas before the Honorable Bethuel F Morris President Judge
the fifth Judicial circuit of the State of Indiana. And Elijah Anderson
Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, at t
Term of said Court began and held at the Court House in the town of Dawil
Monday the thirteenth day of said month in the year of our Lord One Thou
Eight hundred and thirty four, towit,

The State of Indiana
vs
Cave Carter } Indictment for Gaming

Be it remembered that heretofore, towit, at a
of the Hendricks circuit Court began and held at the Court House in the town of Dan
on Monday the fourteenth day of April in the year of our Lord One Thousand
hundred and thirty four, before the Honorable Bethuel F Morris President Judg
aforesaid and Thomas Lockhart Esquire one of the associate Judges of the said Co
by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jerem
Hadley, Charles Fellers, George W Rees, Preston Pennington, Isaac Wilcox, Hera
Hunt, David Matlock, Winn Jones, Moses Parks Jr Joel Jelf, David Sparks
John Merrett, George Peck & Thomas J Walker Grand Jurors for the State of I
empannelled, charged sworn to enquire within and for the body of the County
Hendricks on behalf of the said State, upon their oath present as follows, tow
State of Indiana Hendricks County ss Hendricks Circuit Court at the
term thereof in the year Eighteen hundred and thirty four The Grand J
for the State of Indiana empannelled sworn and charged to enquire wi
and for the body of the county of Hendricks aforesaid upon their oath pr
that Cave Carter late of said County Gentleman on the twenty sixth d
of December in the year Eighteen hundred and thirty three, with force a
arms at said County did then and there loose to and pay over to one
Long then and there being one dollar and fifty cents in money by t
and there betting with the said Robert Long, at and upon a certain gam
and wager to be then and there determined, at, by, upon and with a Rolet
Table, Cantrary to the form of the Statute in such case made and pro
and against the peace and dignity of the State of Indiana. And the
Jurors aforesaid, upon their oath aforesaid, do further present that the
Cave Carter on the day and year aforesaid, with force and arms, at
County aforesaid did then and there win and take of and from
Robert Long then and there being One dollar and fifty cents in mon
then and there betting with him the said Robert Long, at and upon a ce
and wager to be then and there determined at, by, upon and with a Rol

And afterwards towit on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, the same being the first Judicial day of the term of the Court first aforesaid, before the honorable the Judges first aforesaid Come Herod for the State, and the defendant personally comes also and being arraigned upon the said Indictment, Says he is guilty as charged. And the premises being seen; It is considered by the Court here, that the defendant make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana. And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, at the October Term of said Court began and held at the Court house in the town of Danville on Monday the thirteenth day of said month in the year of our Lord One Thousand Eight hundred and thirty four, towit,

The State of Indiana
vs
Cave Carter } Indictment for Gaming

Be it remembered that heretofore, towit, at a term of the Hendricks circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, before the honorable Bethuel F Morris President Judge as aforesaid and Thomas Lockhart Esquire one of the associate Judges of the said Court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fellers, George W Sees, Preston Pennington, Isaac Miles, Meram Hunt, David Matlock, Wiess Jones, Moses Parks Jr Joel Jelf, David Sparks John Merrett, George Peck & Thomas J Walker Grand Jurors for the State of Indiana empannelled, charged sworn to enquire within and for the body of the County of Hendricks on behalf of the said State, upon their oath present as follows, towit,

State of Indiana Hendricks County ss Hendricks Circuit Court at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid upon their oath present that Cave Carter late of said County Gentleman on the twenty sixth day of December in the year Eighteen hundred and thirty three, with force and arms at said County did then and there loose to and pay over to one Robert Long then and there being one dollar and fifty cents in money by their and there betting with the said Robert Long, at and upon a certain game and wager to be then and there determined, at, by, upon and with a Roletta Table, Cantrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana. And the Jurors aforesaid, upon their oath aforesaid, do further present that the said Cave Carter on the day and year aforesaid, with force and arms, at the County aforesaid did then and there win and take of and from one Robert Long then and there being One dollar and fifty cents in money, by then and there betting with him the said Robert Long, at and upon a certain and wager to be then and there determined at, by, upon and with a Roletta table

contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana. W Herod Prosecutor and afterwards towit on the Eighteenth day of April in year Eighteen hundred thirty four, the same being the fifth Judicial of the term of the court last aforesaid the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon, towit, "A True Bill, Gideon Wilson forman of the grand Jury And afterwards, towit, on the day and year first aforesaid, at the court house in the town aforesaid, before the honorable the Judges first aforesaid, at this time comes Herod who prosecutes the pleas of the State, and the defendant personally comes also, and being arraigned upon the said Indictment, says he is guilty as charged. And the premises being seen, It is considered by the court here that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution And it is ordered that the defendant stand committed in the custody of the Sheriff until the said five $ costs are paid or replevied

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the county of Hendricks at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord one Thousand Eight Hundred and thirty four, towit,

The State of Indiana vs Noah Wood } Indictment for Gaming No 1

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquir one of the Associate Judges of the said court, by the oath of Gideon Wilson forman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fullen, George W Rees, Preston Pennington, Isaac Wilcox, Heram Hunt, David Matlock, Wm Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, impannled sworn and charged, to enquire within and for the body of the county of Hendricks, upon their oath present as follows State of Indiana Hendricks County ss Hendricks Circuit Court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana impannled charged and sworn and charged to enquire within and for Hendricks County aforesaid upon their oath present that Noah Wood late of said county yeoman on the twenty sixth day of December in the year Eighteen hundred and thirty three with force and arms at said county, did then and there loose to and pay over to one Robert Long then and there being fifty cents in money, by then and there betting with the said Robert Long at and upon a certain game and wager to be then and there determined at, by with and upon a Rolette Table, Cantrary to the form of the Statute in such case made

and provided, and against the peace and dignity of the State of Indiana. And the Jurors aforesaid, upon their oath aforesaid, do further present that the said Noah Wood on the day and year aforesaid, with force and arms, at the County aforesaid, did then and there win of and from one Robert Long then and there being, fifty cents in money, by then and there betting with the said Robert Long at and upon a certain game and wager to be then and there determined, by, with, at and upon a Rolette Table, Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana

W Herod prosecuter

And afterwards, towit, on the Eighteenth day of April in the year of our Lord Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the Court last aforesaid the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit "A True bill Gideon Wilson forman of the grand Jury

And afterwards, towit, on the day and year first aforesaid, at the before honorable the Judges first aforesaid, Comes now Herod attorney for the State, and the said defendant personally comes also into Court and being arraigned upon the said Indictment, says he is guilty as Charged. And the premises being seen, It is considered by the Court here, that the defendant do make his fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution. And it is ordered that the defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied.

Please before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a Term of said Court began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four towit

The State of Indiana }
vs } Indictment for Gaming No 2
Noah Wood }

Be it remembered that heretofore, towit, at a Term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the honorable Bethuel F. Morris President Judges as aforesaid and Thomas Lockhart Esquire of the Associate Judges of said County, by the oath of Gideon Wilson forman and his fellows Warner Corbett Jeremiah Hadley, Charles Fulden, George W. Sees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm. Jones, Moses Parks Jr. Joel Self, David Sparks, John Merrell, George Peck and Thomas J. Walker Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body County of Hendricks upon their oath present as follows, towit, State of Indiana, Hendricks county

Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana, impannuled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present that Noah Good late of said county Gentleman, on the first day of October in the year Eighteen hundred and thirty two, with force and arms at and in said County did then and there lose to one Job Turner then and there being at and upon a certain game at and upon with cards, then and there played, by and between the said Noah Good and the said Job Turner fifty cents in money, which he the said Noah Good then and there lost, to and paid over to him the said Job Turner by then and there betting at and upon the said game at and with cards as aforesaid, Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana. And the Jurors aforesaid, upon their oath aforesaid do further present that the said Noah Good late of said County, on the day and year aforesaid, with force and arms at the County aforesaid, did then and there win of and from one Job Turner then and there being, at and upon a certain game at and with cards then and there played by and between the said Noah Good and the said Job Turner fifty cents in money, which he the said Noah Good then and there won and took from him the said Job Turner by betting at and upon the said game at and with cards as aforesaid Contrary to the forms of the Statute in such case made and provided. and against the peace and dignity of the State of Indiana W Herod prosecutor

And afterwards towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the Term of the Court last aforesaid the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, "A True bill Gideon Wilson foreman of Grand Jury

And afterwards, towit, on the day and year first aforesaid, before the Honorable the Judges first aforesaid. At this time comes Herod for the State, and the said defendant personally comes also and being arraigned upon the said Indictment says he is guilty as charged; the premises being seen; It is considered by the Court that the defendant make his fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution. And it is ordered that the defendant Stand committed in the custody of the Sheriff untill the said fine and costs are paid or replevied

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit Court within and for the county of Hendricks at a term of the said Court began and held at the Court house in the Town of Danville on Monday the thirteenth day of October in the year of our Lord One thousand Eight hundred and thirty four towit

The State of Indiana
vs
Noah Good
} Indictment for Gaming No 4

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court began and held at the court house in the

Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present that Noah Good late of said County Gentleman, on the first day of October in the year Eighteen hundred and thirty two, with force and arms at and in said County did then and there lose to one Job Turner then and there being at and upon a certain game at and upon, with cards, then and there played, by and between the said Noah Good and the said Job Turner fifty cents in money, which he the said Noah Good then and there lost, to and paid over to him the said Job Turner by then and there betting at and upon the said game at and with cards as aforesaid, Contrary to the form of the Statute in such case made and provided and against the peace and dig= =nity of the State of Indiana. And the Jurors aforesaid, upon their oath aforesaid do further present that the said Noah Good late of said County, on the day and year aforesaid, with force and arms at the County aforesaid, did then and there win of and from one Job Turner then and there being, at and upon a certain game at and with cards then and there played by and between the said Noah Good and the said Job Turner fifty cents in money, which he the said Noah Good then and there won and took from him the said Job Turner by betting at and upon the said game at and with cards as aforesaid Contrary to the form of the Statute in such case made and provided. and against the peace and dignity of the State of Indiana W Herod prosecutor

And afterwards towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the Term of the Court last aforesaid the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, "A True bill

Gideon Wilson foreman of Grand Jury

And afterwards, towit, on the day and year first aforesaid, before the Honorable the Judges first aforesaid. At this time comes Herod for the State, and the said defendant personally comes also and being arraigned upon the said Indictment says he is guilty as charged; the premises being seen, It is considered by the Court that the defendant make his fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution. And it is ordered that the defendant stand committed in the custody of the Sheriff untill the said fine and costs are paid or replevied

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judi= cial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit Court within and for the county of Hendricks at a term of the said Court began and held at the Court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One thousand Eight hundred and thirty four towit

The State of Indiana
vs
Noah Good
} Indictment for Gaming No 4

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court began and held at the Court house in the

town of Danville on Monday the fourteenth day of April in the year aforesaid before the Honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire one of the Associate Judges of said Court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Sees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattocks, Wiess Jones, Moses Parks Jr. Joel Jeff, David Sparks, John Murrett, George Peck and Thomas J. Walker Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks County Hendricks Circuit Court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana impannelled, sworn and charged to enquire within and for the County of Hendricks aforesaid upon their oath present that Noah Good late of said County Gentleman on the tenth day of March, in the year Eighteen hundred and thirty four, with force and arms at the county aforesaid, did then and there with of and from some person to the Grand Jurors aforesaid unknown then and there being, at and upon a certain game at and with cards, then and there played, by and between the said Noah Good, and the said person to the Jurors aforesaid unknown twenty five cents in money, which he the said Noah Good then and there won and took from the said person to the Jurors aforesaid unknown, by then and there betting with the said person to the Jurors aforesaid unknown at and upon the said game, at and with cards as aforesaid Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana

W Herod prosecutor

And afterwards towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, the foregoing Bill of Indictment was returned into court and filed with the following endorsement thereon, towit, "A True bill Gideon Wilson foreman of the Grand Jury." And afterwards, towit, on the day and year first aforesaid at the Court House in the town of Danville, before the Judge first aforesaid. Now comes Herod who prosecutes the pleas of the State and the defendant personally comes also, and being arraigned upon the said Indictment, says he is not guilty as charged and for trial thereof, puts himself upon the country and the attorney for the state doth the like. And by agreement this cause is submitted to the court without the intervention of a Jury And the proofs being heard, It is considered by the court here that the said defendant is not guilty, and that he stand quit, and go hence without day

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a Term of said Court began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year of our Lord One thousand Eight hundred and thirty four; Towit,

The State of Indiana
vs
William Johnson } Indictment for vending Merchandize No 1

Be it remembered that heretofore towit at a term of the Hendricks Circuit Court, began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire, one of the Associate Judges of said court, by the oath of Gideon Wilson forman and his fellows, Warner Beckett, Jeremiah Hadley, Charles Fuller, George W. Nees, Preston Pennington, Isaac Wilcox, Heram Hunt, David Matlock, Wenn Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the body of the County of Hendricks, upon their oath present as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court at the April term thereof in the year Eighteen hundred and thirty four,

The Grand Jurors for the State of Indiana, empannuled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present, that William Johnson late of said County, Gentleman, on the on the fifteenth day of February in the year Eighteen hundred and thirty four, with force and arms at said County, did then and there vend merchandize which was not then and there of the product of the United States, towit, two pounds of Coffee to one John Canary, then and there being for a valuable consideration, towit, for Sixty two and one half cents in money He the said William Johnson not then and there being having a Licence nor permit according to law to vend merchandize, which is not nor was then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. N. Herod prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, before the Judges last aforesaid, the foregoing Bill of Indictment was returned and filed in open court, with the following endorsement thereon, towit, A True Bill, Gideon Wilson forman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid before the Judges first aforesaid, At this time comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, Says he is guilty as charged; And the premises being seen; It is considered by the court here, that the defendant do make his fine to the state of Indiana in the Sum of two dollars, and pay the costs of this prosecution. And it is ordered that the defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a Term of said Court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four; Towit,

The State of Indiana
vs
William Johnson } Indictment for vending Merchandize No 1

Be it remembered that heretofore towit at a term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire, one of the Associate Judges of said Court, by the oath of Gideon Wilson forman and his fellows, Warner Beckett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wenn Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the body of the County of Hendricks, upon their oath present as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court at the April term thereof in the year Eighteen hundred and thirty four,

The Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present, that William Johnson late of said County, Gentleman, on the on the fifteenth day of February in the year Eighteen Hundred and thirty four, with force and arms at said County, did then and there vend merchandize which was not then and there of the product of the United States, towit, two pounds of Coffee to one John Canary, then and there being for a valuable consideration, towit, for Sixty two and one half cents in money He the said William Johnson not then and there being having a Licence nor permit according to law to vend merchandize, which is not nor was then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen Hundred and thirty four, the same being the fifth Judicial day of the term of the Court last aforesaid, before the Judges last aforesaid, the foregoing Bill of Indictment was returned and filed in open Court, with the following endorsement thereon, towit, "A True Bill, Gideon Wilson forman of the Grand Jury." And afterwards, towit, on the day and year first aforesaid before the Judges first aforesaid, At this time comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, Says he is guilty as charged; And the premises being seen; It is considered by the Court here, that the defendant do make his fine to the State of Indiana in the Sum of two dollars, and pay the costs of this prosecution. And it is ordered that the defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires. Associate Judges of the Hendricks Circuit Court, within and for the County of of Hendricks, at Term of said Court began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

The State of Indiana vs William Johnson } Indictment for Vending Merchandize No 2

Be it remembered that heretofore, Towit, at a Term of the Hendricks Circuit Court, began and held at the Court House in Danville on monday the fourteenth day of April in the year Eighteen hundred and thirty four before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Associate Judges of the said court, by the oath of Gideon Wilson and his fellows Warner Hockett, Jeremiah Hadley, Charles Fullen, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wenn Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Pack and Thomas J Walker Grand Jurors for the State of Indiana impanneled sworn and charged to enquire within and for the body of the County of Hendricks, upon their oath present as follows, Towit, State of Indiana Hendricks County, Hendricks Circuit Court at the April Term thereof in the year Eighteen hundred and thirty four

The Grand Jurors impanneled, sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that William Johnson late of said County Gentleman, on the first day of March in the year Eighteen hundred and thirty four, with force and arms at the County aforesaid, did then and there vend merchandize, which was not then and there of the product of the United States, towit, two pounds of coffee, to one Robert Cooper then and there being for a valuable consideration, towit, for fifty cents in money. He the said William Johnson not then and there having a licence nor permit according to law to vend merchandize which was and is not then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod Prosecutor

And afterwards, towit on the Eighteenth day of April in the year Eighteen hundred and thirty four the same being the first Judicial day of the term of the Court last aforesaid. before the Judges last aforesaid, the forgoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, "A True bill Gideon Wilson forman of the Grand Jury." And afterwards towit, on the day and year first aforesaid, at the term of the Court first aforesaid before the Judges first aforesaid, And now comes Herod who prosecutes the pleas of the state, and the defendant personally comes also, and being arraigned upon the said Indictment, say he is guilty as charged; And the premises being seen; It is considered by the Court now here, that the defendant make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered that the defendant stand committed in the Custody of the Sheriff untill the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquers, Associate Judges of the Hendricks circuit Court, within and for the County of Hendricks, at a term of said Court, began and held at the Court house in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

The State of Indiana
vs
William Johnson } Indictment for vending Merchandiz No 3

Be it remembered that heretofore Towit at a term of the Hendricks circuit Court began and held at the Court house in the town of Danville by the Honorable Bethuel F Morris President Judge as aforsaid, and Thomas Lockhart Esquire one of the Associate Judges of said Court, by the oath of Gideon Wilson forman ~~and~~ his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the County of Hendricks, upon their oath present as follows State of Indiana Hendricks County, Hendricks Circuit Court, at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana, empannelled, sworn and charged to enquire within and for the body of the county of Hendricks aforsaid upon their oath present that William Johnson late of said county, Merchant, on the tenth day of March in the year Eighteen hundred and thirty four, with force and arms at said County, did then and there vend merchandiz, which was not then and there of the product of the United States, towit, one pound of coffee to one Augustine Ellis, then and there being for a valuable consideration, towit, for twenty five cents in money Yee the said William Johnson not then and there having a Licence nor permit according to law to vend merchandiz, which was not then and there of the product of the United States, contrary to the forme of the ~~Statute~~ in such case made & provided of the State of Indiana and against the peace and dignity of the State of Indiana, And afterwards, towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term last aforsaid, of the Court aforsaid, the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit; A true bill Gideon Wilson forman of the Grand Jury. And afterwards towit on the day and year first aforsaid, at the term of the Court first aforesaid, before the Judges first aforesaid, Comes now Herod for the State and the defendant personally comes also, and being arraigned upon the said Indictment, says he is guilty as charged. And the premises being seen, It is considered by the court now here, that the defendant make his fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution. And it is Ordered that the defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Aprociate Judges of the Hendricks circuit court, within and for the county of Hendricks at a Term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four; Towit,

The State of Indiana vs William Johnson } Indictment for vending Merchandiz No 4

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the afrociate Juges of said court, by the oath of Gedeon Wilson forman and his fellows Warner Hackett, Jeremiah Hadley Charles Fuller, Georg W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock, Winn Jones, Moses Parks Jr, Joel Self, David Sparks, John Merrett, Georg Peck and Thomas J. Walker Grand Jurors for the State of Indiana empannelled sworn and charged to enquire in and for the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks county, Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana, empannelled sworn and and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that William Johnson late of said county merchant on the tenth day of March in the year Eighteen hundred and thirty four, with force and arms at said county, did then and there vend merchandiz, which was not then and there of the product of the United States, towit, two pounds of coffee to one William Gilmor, then and there being for a valuable consideration, towit, for fifty cents in money. He the said William Johnson not then and there having a licence nor permit according to law to vend merchandize which was and is not then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W Herod prosecutor

And afterwards towit on the Eighteenth day of April in the year Eighteen hundred and thirty four the same being the fifth Judicial day of the term of the court last aforesaid, the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon towit A true Bill, Gideon Wilson forman of the Grand Jury.

And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid, before the Judges first aforesaid Now comes Herod who prosecutes the pleas of the state, and the defendant personally comes also and being arraigned upon said Indictment, say he is guilty as charged And the premises being seen; It is considered by the court here that the defendant do make his fine to the State in the sum of two dollars, and pay the costs of this prosecution. And it is Ordered that the defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the honorable Bethuel F Morris Presidant Judg of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esqeirs Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court House in the town of Danville on Monday the the Thirteenth day of October in the year of our Lord One Thousand Eight hundred & thirty four, towit,

The State of Indiana
vs
William Johnson } Indictment for vending Merchandiz No 5

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the fourteeth day of April in the year aforesaid, before the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Associate Judges of said Court, by the oath of Gideon Wilson and his fellows Warner Hackett, Jeremiah Hadley, Charles Fellen, George W Nees, Reston Pennington, Isaac Wilcox, Hiram Hunt, David Mallock, Winn Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Peek and Thomas J Walker Grand Jurors at said term, for the State of Indiana empannelled sworn and charged to enquire within and for the body of the county of Hendricks, upon their oath present, as follows towit; State of Indiana, Hendricks County, Hendricks Circuit Court, at the April Term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that William Johnson late of said county, Merchant, on the tenth day of March in the year Eighteen hundred and twenty four, with force and arms, at the county aforesaid, did then and there vend Merchandiz which was not of then and there of the product of the United States, towit, one half pound of tea to one Augustine Ellis, then and there being for a valuable consideration towit, for Eighty cents in money. He the said William Johnson not then and there having a license nor permit according to law, to vend merchandize, which was not then and there of the product of the United States, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W Herod Prosecutor

And afterwords, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, at the Court House in Danville, the same being the fifth Judicial day of the term of the Court last aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open Court, with the following indorsement thereon, towit, "A true bill, Gideon Wilson forman of the Grand Jury. And afterwords, towit on the day and year first aforesaid, at the Court House aforesaid, before the Judges first aforesaid At this time comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, says he is guilty as charged. And the premises being seen, It is considered by the Court now here, that the defendant do make this fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered that the defendant stand committed in the custody of the the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elejah Anderson and Gideon Wilson Esquires aposeat Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said Court began and held at the Court House in the town Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four, Towit,

The State of Indiana vs William Johnson } Indictment for retailing vending Spirits No. 6

Be it remembered that heretofore, towit at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Cockhart Esquire, one of the Associate Judges of said Court, by the oath of Gideon Wilson formon and the fellows Warner Cockett, Jeremiah Hadley, Charles Fullen, George W. Nees, Preston Pennington, Isaac Wilcox, Hiram Kent, David Mollock, Wms Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J. Walker Grand Jurors at said term for the state of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks, upon their oath present as follows towit, State of Indiana Hendricks county, Hendricks Circuit Court at the April terms thereof in the year Eighteen Hundred and thirty four. The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that William Johnson late of said county, Gentleman on the first day of February in the year Eighteen Hundred and thirty four, with force and arms at the county aforesaid, did then and there barter and sell by retail to one Goodwin Taylor then and there being, a quantity of Spiritous Liquors, commonly called Rum, less than a quart, towit, one half pint of Rum for a valuable consideration, towit, for twelve and one half cents in money. He the said William Johnson not then and there being Licenced according to law to vend Spiritous Liquors by retail, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W. Herod Prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen and thirty four the same being the fifth Judicial day of the term of the court last aforesaid, at the Court house aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon, towit, "A true bill, Gideon Wilson foreman of the Grand Jury". And afterwards, towit, on the day and year first aforesaid before the Judges first aforesaid At this time comes Herod who prosecutes the pleas of the state, and the defendant personally comes also and being arraigned upon the said Indictment, says he is guilty as charged And the premises being seen, It is considered by the court here that the defendant do make his fine to the state of Indiana in the sum of two dollars and pay the costs of this prosecution And it is ordered that the said defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four Towit

The State of Indiana
vs
William Johnson } Indictment for vending Merchandize No 7

Be it remembered that heretofore, towit at a term of the Hendricks circuit court, began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Associate Judges of said court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm. Jones, Moses Parks Jr, Joel Self, John Merrett, George Peck and Thomas J. Walker Grand Jurors at said term for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that William Johnson late of said county Gentleman, on the first day of March in the year Eighteen hundred and thirty four, with force and arms, at said county did then and there vend merchandiz which was not then and there of the product of the United States, towit, One pound of Tea, to one William Gilmore, then and there being, for a valuable consideration, towit for one dollar and fifty six and one fourth cents in money. He the said William Johnson not then and there having a licence nor permit according to law to vend merchandiz, which was and is not then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana

W. Herod prosecuter

And afterwards, towit, at the term of the court last aforesaid before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, "A true bill Gideon Wilson foreman of the Grand Jury." And afterwards, towit, on the day and year first aforesaid, at the court house aforesaid, before the Judges first aforesaid, Comes now Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, saith he is guilty as charged. And the premises being seen; It is considered by the court now here that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered the the said defendant, stand committed committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four to wit

The State of Indiana
vs
William Johnson } Indictment for vending Merchandize No 7

Be it remembered that heretofore, to wit at a term of the Hendricks circuit court, began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Associate Judges of said court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mallock Wynn Jones, Moses Parks Jr, Joel Jelf, John Merrett, George Peck and Thomas J Walker Grand Jurors at said term for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, to wit, State of Indiana Hendricks County, Hendricks circuit court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that William Johnson late of said county Gentleman, on the first day of March in the year Eighteen hundred and thirty four, with force and arms, at said county did then and there vend merchandiz which was not then and there of the product of the United States, to wit, one pound of Tea, to one William Gilmore, then and there being, for a valuable consideration, to wit for one dollar and fifty six and one fourth cents in money. He the said William Johnson not then and there having a licence nor permit according to law to vend merchandiz, which was and is not then and there of the product of the United States, Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana

W. Herod prosecuter

And afterwords, to wit, at the term of the court last aforesaid before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon, to wit, "A true bill Gideon Wilson foreman of the Grand Jury." And afterwords, to wit, on the day and year first aforesaid, at the court house aforesaid, before the Judges first aforesaid, Comes now Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, saith he is guilty as charged. And the premises being seen, It is considered by the court now here that the defendant do make this fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered the the said defendant, stand committed committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the county of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four

Court

The State of Indiana
William Johnson } Indictment for retailing Liquors No 6

Be it remembered that heretofore. towit at a term of the Hendricks Circuit Court began and held at the court house in the town of Danville on monday the fourteenth day of April in the year Eighteen hundred and thirty four before the Honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire, one of the associate Judges of said court, by the oath of Gideon Wilson forman and his fellows Warner Hackett. Jeremiah Hadley, Charles Fullen, George W. Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock, Wenno Jones, Moses Parks Jr. Joel Jelf, David Sparks, John Merrett George Peck and Thomas J Walker Grand Jurors for the State of Indiana empannelled Sworn and Charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks County Hendricks Circuit Court, at the April Term thereof in the year Eighteen hundred thirty four. The Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the said county of Hendricks aforesaid upon their oath aforesaid present that William Johnson late of said county Gentleman, on the tenth day of February, in the year Eighteen hundred and thirty four, with force and arms at said county, did then and there barter and sell by retail to one Goodwin Jay for then and there being a quantity of Spiritous liquors commonlly called Whiskey, less than a quart, towit one half pint of whiskey for a valuable consideration, towit for Six and one fourth cents in money. He the said William Johnson not being then and there licensed according to law to vend Spiritous liquors by retail. Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W Herod Prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, at the court house aforesaid, before the Judges last aforesaid, the same being the fifth Judicial day of the term of the court last aforesaid, the foregoing bill of Indictment was returned into Court with the following endorsement thereon, towit, "A True bill, Gideon Wilson forman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid at the court house aforesaid, before the Judges first aforesaid Now comes Herod who prosecutes the pleas of the State, and the defendant personally comes also, and being arraigned upon the said Indictment say he is guilty as charged, And the premises being seen; It is considered by the court now here, that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is Ordered that the defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Reas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquire Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of Our Lord One Thousand Eight hundred & thirty four

Towit,

The State of Indiana
vs
Thomas M Nutts } Indictment for retailing Liquors No 1

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year of Our Lord Eighteen hundred and thirty four Before the Honorable Bethuel F. Morris President Judge as aforesaid, by the oath of Gideon Wilson forman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fellers, George W Sees, Preston Pennington, Isaac Wilcox, Miriam Hunt, David Matlock, Wm Jones, Moses Parks Jr, Joel Jeffs, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana empanelled Sworn and Charged to enquire within and for the body of the County of Hendricks, upon their oath present as follows, towit, State of Indiana, Hendricks County Hendricks Circuit Court at the April term thereof in the year Eighteen hundred and thirty four, The Grand Jurors for the State of Indiana, empanelled Sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present, that Thomas M Nutts late of said County yeoman on the first day of March in the year Eighteen hundred and thirty four, with force and arms at the County aforesaid, did then and there vend and sell by retail to One Talton W Torney, then and there being a quantity of Spereteous liquors, commonly called whiskey, less than a quart, towit, one half pint of whiskey, for a valuable consideration, towit, for Six and one fourth cents in money. He the said Thomas M Nutts not then and there being licenced according to law to vend Spereteous liquors by retail. Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod prosecutor

And afterwards, towit at the term of the Court last aforesaid, at the Court house aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was then and there returned and filed in open Court with the following endorsement thereon, towit, "A true bill, Gideon Wilson forman of the Grand Jury."

And afterwards, towit, on the day and year first aforesaid, at the term of the Court first aforesaid, held at the Court House aforesaid, by the Honorable the Judges first aforesaid, Now comes Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, says he is guilty as charged And the premises being seen, It is considered by the Court here, that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution And it is ordered that the defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court house in the town of Danville on Monday the Thirteenth day of October in the year of Our Lord One Thousand Eight hundred & thirty four

Towit,

The State of Indiana
vs
Thomas M Nutts } Indictment for retailing Liquors No 1

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year of our Lord Eighteen hundred and thirty four Before the honorable Bethuel F. Morris President Judge as aforesaid, by the oath of Gideon Wilson forman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fellen, George W. Sees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Winn Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana empannelled Sworn and Charged to enquire within and for the body of the County of Hendricks, upon their oath present as follows, towit, State of Indiana, Hendricks County Hendricks Circuit Court of the April term thereof in the year Eighteen hundred and thirty four, The Grand Jurors for the State of Indiana, empannelled Sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present, that Thomas M Nutts late of said County yeoman on the first day of March in the year Eighteen hundred and thirty four, with force and arms at the county aforesaid, did then and there vend and sell by retail to one Talton W Toney, then and there being a quantity of Spiritous liquors, commonly called whiskey, less than a quart, towit, one half pint of whiskey, for a valuable consideration, towit, for Six and one fourth cents in money. He the said Thomas M Nutts not then and there being licenced according to law to vend Spiritous liquors by retail. Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod prosecutor

And afterwards, towit at the term of the Court last aforesaid, at the Court house aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was then and there returned and filed in open Court with the following endorsement thereon, towit, "A true bill. Gideon Wilson forman of the Grand Jury."

And afterwards, towit, on the day and year first aforesaid, at the term of the Court first aforesaid, held at the Court house aforesaid, by the honorable the Judges first aforesaid, Now comes Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, says he is guilty as charged And the premises being seen, It is considered by the Court here, that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution And it is ordered that the defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable Bethuel F. Morris Presidant Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court within and for the County of Hendricks at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year Eighteen Hundred and thirty four Towit,

The State of Indiana
vs
Thomas M Kutts } Indictment for Retailing No 2

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court began and held at the court house in the town of Danville on Monday the Thirteenth day April in the year aforesaid, before the Honorable Bethuel F. Morris President Judge aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said court, by the oath of Gideon Wilson foreman and this fellows Warner Hackett, Jeremiah Hadley, Charles Fullen, George W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock Wm Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Murrell, Georg Peele and Thomas J Walker Grand Jurors for the state of Indiana impannelled sworn and charged enquire within and for the body of the County of Hendricks upon their oath present, as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court at the April Term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the state of Indiana, impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that Thomas M Kutts late of said County yeoman on the fifth day of April in the year Eighteen Hundred and thirty four, with force and arms at said County, did then and there barter and sell by retail to one James C Smith then and there being a quantity of Spiritous liquors Commonally called Rum, less than a quart, towit, one half pint of Rum for a valuable consideration towit, for twelve and one half cents in money, He the said Thomas M Kutts not being then and there licensed according to law to vend Spiritous Liquors by retail, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W Herod prosecutor

And afterwards, towit, at the term of the court last aforesaid, at the court house aforesaid, before the Judges last aforesaid the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon, towit, "A true bill, Gideon Wilson foreman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid, at the court house aforesaid, before the Judges first aforesaid At this time comes Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, says he is guilty as charged. And the premises being seen, the court assess his fine at two dollars; It is therefore considered by the court, here, that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered that the defendant stand committed in the custody of the sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elejah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

The State of Indiana
vs
Thomas McNutts } Indictment for Retailing No 3

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court, began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said court, by the oath of Gideon Wilson Foreman and his fellows Warner Mockett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm. Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Peck and Thomas J. Walker Grand Jurors for the state of Indiana at said term, empannelled, sworn and charged, to enquire within and for said county of Hendricks, upon their oath present as follows, Towit, State of Indiana Hendricks County, Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four

The Grand Jurors for the state of Indiana empannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that Thomas McNutts late of said county yeoman, on the first day of April in the year Eighteen hundred and thirty four, with force and arms at said county did then and there barter and sell by retail to one James C. Smith, then and there being a quantity of Spiritous Liquors, Commonally called whiskey, less than a quart, towit, one half pint of whiskey, for a valuable consideration, towit, for Six and one fourth cents in money He the said Thomas McNutts not being then and there licensed according to Law to vend Spiritous Liquors by retail. Contrary to the form of the Statute in such case made and provided and against the peace & dignity of the State of Indiana W. Herod prosecutor

And afterwards, towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, held at the court house aforesaid, the foregoing bill of Indictment was then and there returned and filed in open court with following endorsement thereon, towit, "A True bill, Gideon Wilson foreman of the Grand Jury. And afterwards, towit on the day and year first aforesaid, at the court house aforesaid, before the Honorable the Judges first aforesaid. Comes now Herod who prosecutes the pleas of the State and the defendant personally comes also, and being arraigned upon the said Indictment, Say he is guilty as charged. And the premises being seen; It is considered by the court here, that the defendant make his fine to the state of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered that the defendant stand committed committed in the custody of the of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elejah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the county of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit:

The State of Indiana
vs
Thomas McHults } Indictment for Retailing No 3

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court, began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year aforesaid, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said court, by the oath of Gideon Wilson foreman and his fellows Warner Mackett, Jeremiah Hadley, Charles Fuller, George W Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Stallcup, Wm Jones, Moses Parks Jr, Joel Self, David Sparks, John Murrett, George Peck and Thomas J Walker Grand Jurors for the state of Indiana at said term, empannelled, sworn and charged, to enquire within and for said county of Hendricks, upon their oath present as follows, Towit, State of Indiana Hendricks County, Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four

The Grand Jurors for the state of Indiana empannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that Thomas M Hults late of said county yeoman, on the first day of April in the year Eighteen hundred and thirty four, with force and arms at said county did then and there barter and sell by retail to one James C Smith, then and there being a quantity of Spiritous Liquors, communally called whiskey, less than a quart, towit, one half pint of whiskey, for a valuable consideration, towit, for Six and one fourth cents in money He the said Thomas M Hults not being then and there licensed according to Law to vend Spiritous Liquors by retail. Contrary to the form of the statute in such case made and provided and against the peace & dignity of the state of Indiana W. Herod prosecutor

And afterwards, towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, held at the court house aforesaid, the foregoing bill of Indictment was then and there returned and filed in open court with following endorsement thereon, towit, "A True bill, Gideon Wilson foreman of the Grand Jury. And afterwards, towit on the day and year first aforesaid, at the court house aforesaid, before the Honorable the Judges first aforesaid. Comes now Herod who prosecutes the pleas of the State and the defendant personally comes also, and being arraigned upon the said Indictment, say he is guilty as charged. And the premises being seen; It is considered by the court here, that the defendant make his fine to the state of Indiana in the sum of two dollars and pay the costs of this prosecution. And it is ordered that the defendant stand committed committed in the custody of the of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires Apociate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said court began and held at the Court house in the town of Danville on monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

The State of Indiana } Indictment for Retailing No 4
Thomas M Kutts }

Be it remembered that heretofore, towit, at a Term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Apociate Judges of said court, by the oath of Gideon Wilson forman, and his fellows Warner Hackett, Jeremiah Hadley, Charles Feller, George W Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattocks, Wynn Jones Moses Parks Jr, Joel Jelf, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, impannelled, sworn and charged to enquire within and for the County of Hendricks, upon their oath present, as follows, towit, State of Indiana, Hendricks County: Hendricks Circuit Court at the April term thereof in the year Eighteen hundred and thirty four

The Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the County of Hendricks aforesaid upon their oath present. that Thomas M Kutts late of said County yeoman, on the fifteenth day of March in the year Eighteen one Thousand Eight hundred and thirty four, with force and arms at the County aforesaid, did then and there vend and sell by retail to one Moses C Kuff, then and there being, a quantity of Spiritous Liquors commonally called whiskey, to wit less than a quart (to wit) one half pint of whiskey for a valuable consideration, towit, for the sum of Six and one fourth cents in money, He the said Thomas M Kutts, not then and there having a License to vend Spiritous Liquors according to law by retail, Contrary to the forms of the Statute in such case made and provided and against the peace and dignity of the State of Indiana. W Herod prosicutor

And afterwards, towit, on Monday the Eighteenth day of April in the year one Thousand Eight hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, before the Judges last aforesaid the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, A True bill, Gideon Wilson forman of the Grand Jury.

And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid, before the Judges first aforesaid, Now comes Herod who prosicutes the pleas of the State, and the defendant personally comes also, and being arraigned upon said Indictment says he is guilty as charged. ~~It is Considered~~ And the premises being seen It is considered by the court now here that the defendant do make this fine to the State of Indiana in the sum of two dollars and pay the costs of this prosicution And it is ordered that the said defendant be Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana. And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four

Towit,

The State of Indiana }
vs. } Indictment for Retailing No 1
Joseph Gilleland }

Be it remembered that heretofore Towit at a Term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the Honorable Bethuel F. Morris President Judge as aforesaid and Thomas Lockhart Esquire one of the Associate Judges of the Hendricks Circuit Court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock, Wm. Jones, Moses Parks Jr, Joel Jeff, David Sparks, Jno. Merrell, George Peck and Thomas J. Walker Grand Jurors for the State of Indiana, impannelled Sworn and Charged to enquire within and for the body of the County of Hendricks upon their oath present, as follows, towit, State of Indiana Hendricks County Hendricks Circuit Court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present, That Joseph Gilleland late of said County yeoman, on the first day of April in the year Eighteen hundred and thirty four, with force and arms at the County aforesaid, did then and there barter and sell by retail to one Goodwin Taylor then and there being, a quantity of Spirituous liquors commonly called whiskey, less than a quart, towit, one half pint of whiskey for a valuable consideration, towit, for Six and one fourth cents in money. He the said Joseph Gilleland not being then and there licenced according to law to vend Spirituous liquors by retail. Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana W. Herod prosecutor

and afterwards, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open Court with the following endorsement theron, towit, "A True bill, Gideon Wilson foreman of the Grand Jury". And afterwards, towit, on the day and year first aforesaid, at the Court House aforesaid, before the Honorable the Judges first aforesaid. And now comes Herod who prosecutes the pleas of the State, and the defendant personally comes also, and being arraigned upon the said Indictment, say he is guilty as charged; And the premises being seen; It is considered by the Court here that the defendant do make his fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution And it is ordered that the defendant stand committed in the custody of the of the Sheriff untill the said fine and costs are paid or replevied

Pleas before the Honorable Bethuel F Morris Presidant Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks circuit court in and for the county of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four

Towit,

The State of Indiana
vs
Joseph Gilleland } Indictment for Retailing No 2

Be it remembered that heretofore, towit, at a term of the Hendricks circuit court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, Before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit as aforesaid, and Thomas Lockhart Esquire one of Associate Judges of said court, by the oath of Gideon Wilson foreman and his fellows Warner Hackett, Jeremiah Hadley, Charles Fullen, George W Rees, Preston Pennington Isaac Wilcox, Hiram Hunt, David Matlock, Wm Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled, sworn and charged to inquire in and for the county of Hendricks, upon their oath present as follows, towit, State of Indiana Hendricks county Hendricks Circuit court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, empannelled, sworn and charged, to inquire within and for the body the county of Hendricks aforesaid, upon their oath present, that Joseph Gilleland late of said county yeoman on the first day of April in the year Eighteen hundred and thirty four, with force and arms at said the county aforesaid, did then and there barter and sell by retail to one Thomas Jones then and there being, a quantity of Spiritous Liquors commonally called whiskey, less than a quart, towit, one half pint of whiskey for a valuable consideration, towit, for Six and one fourth cents in money. He the said Joseph Gilleland not then and there being licenced according to law to Vend Spiritous liquors by retail, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W Herod prosecutor

And afterwards, towit on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the court last aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open court with the following endorsement thereon towit "A True bill. Gideon Wilson foreman of the Grand Jury

And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid before the Judges first aforesaid, now comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, say he is guilty as charged And the premises being seen. It is considered by the court here that the defendant do make his fine to the State of Indiana in the sum of two dollars and pay the costs of this prosecution And it is ordered that the defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of said Court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One thousand Eight hundred and thirty four, Towit,

The State of Indiana
vs
Samuel Talby } Indictment for Petit Larceny No 1

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said Hendricks circuit Court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mallatt, Wynn Jones, Moses Parks Jr. Joel Jeff, David Sparks, John Merrett, George Peek and Thomas J. Walker Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid upon their oath present as follows, towit State of Indiana Hendricks county. Hendricks circuit court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present, That Samuel Talby late of said county Yeoman on the seventh day of April in the year Eighteen hundred and thirty four, with force and arms at said county, one spoon of the value of Six and one fourth cents of the personal goods of one Wynn Jones then and there being found, did then and there feloniously steal, take and carry away, Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana. W Herod prosecutor

On the back of the foregoing bill of Indictment was the following endorsement, towit, "A True bill, Gideon Wilson Foreman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid before the Judges first aforesaid Comes now Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, says he is not guilty as charged, and for trial thereof puts himself upon the country, and the Attorney for the State doth the like; whereupon let a Jury come. And the Sheriff as commanded brings here into court the Jurors of the Jury, towit, Tredell Jackson, Solomon Blair Daniel B. Tryp, Charles Ferguson, Paul Freight, Curtis King, James Logan, Henry K. Marvin, John Prichett, Thomas Nichols, Moses Cavett and Wakefield Trotter twelve good and discreet Householders of the county, who being elected, tried sworn a true verdict to give upon the issue aforesaid, Say we of the Jury find the defendant guilty as charged, and say that he shall make his fine in the sum of One cent, that he be imprisoned in the county Jail one minute, and that he be disfranchised for three months. It is therefore considered by the court now here that the defendant do make his fine to the State of Indiana in the sum of One cent, that he be imprisoned in the Common Jail of the county for the space of one minute, and that he be disfranchised and rendered incapable of holding any office for three months and pay the costs of this prosecution And the defendant is now committed to the custody of the Sheriff, and it is ordered that he remain in said custody until the fine and costs are paid or replevied

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gedeon Wilson Esquires, Aposciate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of said Court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

The State of Indiana
vs
Samuel Talby } Indictment for Petit Larceny No 1

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State aforesaid, and Thomas Lockhart Esquire one of the Aposciate Judges of said Hendricks Circuit Court, by the oath of Gideon Wilson forman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wynn Jones, Moses Parks Jr. Joel Jelf, David Sparks, John Merrett, George Peek and Thomas J. Walker Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present as follows, towit State of Indiana Hendricks County. Hendricks Circuit Court, at the April Term thereof in the year Eighteen hundred and thirty four

The Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present, That Samuel Talby late of said county Yeoman on the Seventh day of April in the year Eighteen Hundred and thirty four, with force and arms at said County, one Spoon of the value of Six and one fourth cents of the personal goods of one Wynn Jones then and there being found, did then and there feloniously steal, take and carry away, Contrary to the fourm of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W Herod prosecutor

On the back of the foregoing bill of Indictment was the following endorsement, towit, "A True bill, Gideon Wilson forman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid before the Judges first aforesaid Comes now Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment, says he is not guilty as charged, and for trial thereof puts himself upon the country, and the Attorney for the State doth the like; wherefore let a Jury come. And the Sheriff as commanded brings here into Court the Jurors of the Jury, towit, Iredell Jackson, Solomon Blair Daniel B. Tryer, Charles Ferguson, Paul Freight, Curtis King, James Logan, Henry K. Marvin, John Prichett, Thomas Nichols, Moses Cavett and Wakefield Trotter twelve good and discreet Householders of the County, who being elected, tried sworn a true verdict to give upon the issue aforesaid, Say we of the Jury find the defendant guelty as Charged, and say that he make his fine in the sum of One cent, that he be imprisoned in the county Jail one minute, and that he be disfranchised for three months. It is therefore considered by the Court now here that the defendant do make his fine to the State of Indiana in the sum of One cent, that he be imprisoned in the Common Jail of the county for the space of one minute, and that he be disfranchised and rendered incapable of holding any office for three months and pay the costs of this prosecution And the defendant is now committed to the custody of the Sheriff, and it is ordered that he remain in said custody until the fine and costs are paid or replevied

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of said Court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four, Towit,

The State of Indiana vs Francis Barbee } Indictment for an Affray

Be it remembered that heretofore, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year Eighteen Hundred and thirty four before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said Court, by the oath of Gideon Wilson foreman, and his fellows Warner Hackett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm. Jones Moses Parks Jr, Joel Jelf, David Sparks, John Merrell, Georg Peck and Thomas J. Walker Grand Jurors for the State of Indiana empannelled Sworn and charged to enquire in and for the body of the County of Hendricks upon their oath present as follows, Towit, State of Indiana Hendricks County } Hendricks Circuit Court at the April term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana empannelled charged and sworn to enquire within and for the body of the County of Hendricks aforesaid upon their oath present, That Francis Barbee late of said County yeoman, and John Gibbons late of said County yeoman, with force and arms, at the County aforesaid, on the Seventeenth day of March in the year Eighteen Hundred and thirty four at the County aforesaid, did then and there by a mutual agreement, then and there made by and between the said Francis Barbee and the said John Gibbons fought together in pursuance of said agreement, at and in a public place Situate in said County, to the great Terror and disturbance of divers of the Citizens of said State of Indiana, being then and there assembled, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W. Herod prosecutor

And afterwards, Towit, on the Eighteenth day of April in the year Eighteen Hundred and thirty four the same being the fifth Judicial day of the term of the Court last aforesaid before the Judges aforesaid the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, A True bill, Gideon Wilson foreman of the Grand Jury. And afterwards, towit, on the day and year first aforesaid, at the term of the Court first aforesaid, before the Judges first aforesaid, Comes now Herod for the State, and the said Francis Barbee personally comes also, and being arraigned upon the said Indictment, says he is guilty as charged. And the premises being seen to the State of Indiana in the sum of One dollar and pay the costs of this prosecution And it is Ordered that the defendant stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied,

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of said court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year Eighteen hundred and thirty four, Towit,

The State of Indiana
vs
John Gibbons } Indictment for an Affray

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire, one of the Associate Judges of said Court, by the oath of Gideon Wilson foreman and this fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Sees. Preston Pennington, Isaac Wilcox, Miriam Hunt, David Stattock, Wm. Jones, Moses Parks Jr. Joel Jelf, David Sparks, John Merrett, Georg Peck, and Thomas J Walker Grand Jurors for the State of Indiana empanelled sworn and charged, upon their oath presents as follows, towit, State of Indiana Hendricks County Hendricks Circuit Court at the April Term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana empaneled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath aforesaid, present that Francis Barbee late of said County yeoman, and John Gibbons late of said County yeoman, with force and arms at said County on the seventeenth day of March in the year Eighteen Hundred and thirty four, at the County aforesaid, did then and there by a mutual agreement, then and there made by and between the said Francis Barbee and the said John Gibbons fought together in pursuance of said agreement at and in a public place situate in said County, to the great terror and disturbance of divers of the citizens of said State of Indiana, being then and there assembled, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. W. Herod prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial Circuit of said day of the term of the Court last aforesaid, before the Judges last aforesaid, the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, A true bill, Gideon Wilson foreman of the Grand Jury

And afterwards, towit, on the day and year first aforesaid, at the term of the Court first aforesaid, before the Judges first aforesaid, And now comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment says he is not guilty as charged and for trial thereof puts himself upon the Country, and the attorney for the State doth like, Whereupon to a Jury come and the Sheriff as Commanded brings into Court the Jurors of the Jury, towit, Isaac West, Isaac Wilcox, William Plaster, Abel Stanley, Thomas Higgins, Harman Brittain, Henry G Todd, John W Bryant, Gabriel S Saylor, James Stevens, Enoch Wallace and George West, twelve good and discreet Householders of the County who being elected tried and sworn a true verdict to give upon the issue aforesaid, Say we of the Jury find the defendant not guilty It is therefor considered by the Court now here that the defendant as to the said Indictment do stand acquit and go hence without day.

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the state of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court house in in the town of Danville on Monday the Thirteenth day of October in the year Eighteen hundred and thirty four. Towit,

The State of Indiana
vs
William Faught } Indictment for Forgery

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said Court, by the oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W. Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock, Wm. Jones, Moses Parks Jr, Joel Jeff, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, impannelled. sworn and charged to enquire in and for the body of the County of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks County Hendricks Circuit Court at the April term in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid upon their oath present. That William Faught late of said County Labourer on the fourteenth day of June in the year Eighteen hundred and thirty three with force and arms at said County, feloniously did then and there falsely make, forge and counterfeit, and did cause and procure to be falsely made, forged and counterfeited a certain receipt for money which said false, forged and counterfeited receipt for money is as follows that is to say "Rec.d of Wm Faught for Conner & Harrison on a note of John Gibbons given to Wm Dearlls Seventeen dollars. This 14th June 1833 A. Richmond with the felonious intention to defraud One Ansel Richmond Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. And the Jurors aforesaid upon their oath aforesaid, as further present, that the said William Faught on the day and year aforesaid, at the County aforesaid, feloniously did then and there falsely make, forge and counterfeit a certain other receipt for money, which said false forged and counterfeited receipt for money is as follows, that is to say Rec.d of Wm Faught for Conner & Harrison on a note of John Gibbons given to Wm Dearles Seventeen dollars. This 14th June 1833 A. Richmond with the felonious intention to defraud the said Conner & Harrison. Contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Indiana W Herod prosecutor

And afterwards, towit, on the Eighteenth day of April in the year Eighteen hundred and thirty four, the same being the fifth Judicial day of the term of the Court last aforesaid, the foregoing bill of Indictment was returned and filed in open Court with the following endorsement thereon, towit, "A True bill, Gideon Wilson foreman of the Grand Jury

And afterwards towit on the day and year first aforesaid, at the term of the court first aforesaid before the Judges first aforesaid. Comes now Herod who prosecutes the pleas of the State, and the defendant personally comes also, and being arraigned upon the said Indictment says he is not guilty as charged, and for the trial thereof puts himself upon the Country and the Attorney for the State doth the like, wherefore let a Jury come And the Sheriff aforesaid brings hereinto Court, the Jurors of the Jury, towit, Franklin Trotter, Wakefield Trotter, Solomon Blount, Jesse Maddox, Moses Carill, Iredell Jackson, William McClain, Daniel Brown, Robert Ragan, Lewis Pounds, John Malone and James Montgomery, twelve good and discreet Householders, who being elected, tried and sworn a true verdict upon the issue aforesaid, after hearing the evidence say we of the Jury find the defendant not guilty. It is therefore considered by the Court here that the said defendant do stand acquit and go hence without day

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court in and for the County of Hendricks, at a term of said Court begun and held at the Court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four Towit,

Wright Smith & Co
vs
Peter McRoberts } Debt

Be it remembered that heretofore towit on the twenty first day of February in the year of our Lord one Thousand Eight hundred and thirty four, the above entitled plaintiffs by Calvin Fletcher their attorney files in the Clerks office of the Hendricks Circuit, the following note, accompanied with the following declaration, towit, —— First the Note — as follows towit —— $145,04 Cincinnati July 28th 1832 — Three months after date for Value received. we Jointly or severally promise to pay Wright Smith & Co or bearer One hundred & Forty five 04/100 dollars

Peter McRoberts
Andrew Jouett

The Declaration —— State of Indiana — Hendricks Circuit Court April term 1834. Wright Smith and John J. Martin partners trading under the firm, name and style of Wright Smith & Co plaintiffs, complain of Peter McRoberts and Andrew Jouett defendants, of a plea of Trespass on the case upon promises. For that whereas heretofore, towit, on the twenty Eighth day of July in the year of our Lord One Thousand Eight hundred and thirty two, at Cincinnati, towit, at the County of Hendricks, the said defendants made their certain promissary note in writing bearing date the day and year aforesaid & the said defendants three months after the date thereof promised jointly and severally to pay to the said plaintiffs, by the name and description of Wright Smith & Co the sum of One hundred and forty five dollars and four cents for value received, and then and there delivered the said promissary note to the said plaintiffs, by means whereof the said defendants became liable to pay to the said plaintiffs by the name and description as aforesaid, the said sum of money thereon specified. Yet the said defendants not regarding their said promises as aforesaid, have not yet paid the said sum of money in said

promissary note specified to the said plaintiffs, or any part thereof, though often requested so to do. But to pay the same or any part thereof have hitherto wholy refused and still do refuse, to the damage of the said plaintiffs five hundred dollars. whereof they sue C Fletcher for plffs

And afterwards towit on the fifteenth day of April in the year Eighteen hundred and thirty four, the same being the second Judicial day of the April term of said court, held at the court house in the town of Danville by the Honorable Bethuel F Morris President Judge as aforesaid, and Thomas Lockhart Esquire one of the Associate Judges of said circuit court, in and for the said county of Hendricks. At this time come the plaintiffs by their attorney, and have as Amicus Curia moves the court to quash the writ in this behalf. And the premises being seen the said writ is quashed and set aside, and on motion of the plaintiffs. further proces is awarded, and this cause is continued

And afterwards, towit, on the fourteenth day of October in the year Eighteen hundred and thirty four, the same being the second Judicial day of the term of the court first aforesaid, before the Judges first aforesaid; Now come the plaintiffs by Fletcher their attorney, and the defendants by Nave their attorney come also And the said attorney for the defendants says he is not informed of any defence that the defendants have to the action of the plaintiffs And the premises being seen; It is considered by the court here that the plaintiffs recover of the said defendant the sum of One hundred and forty five dollars and four cents in debt and seventeen dollars and four cents in damages for the detention thereof, making together the sum of One hundred and sixty two dollars and eight cents And also the sum of Seven dollars and fifty four cents for their costs and charges by them about their recovery in this behalf laid out and expended and the defendants in mercy &c

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the county of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

Edmund Clark Assignee of Paul Yount
vs
William Faught } Appeal

Be it remembered that heretofore towit on the seventh day of August in the year aforesaid Noah Harding a Justice of the peace in and for the county of Hendricks, filed in the Clerks office of the circuit court of said county on behalf of the above entitled defendant, the following Note and Transcript of the proceedings had before him in the above entitled cause —

First the Note — One day after date I promise to pay Paul Yount fifty four dollars & 87½ cts This 3rd day of July 1833 Wm Faught

The Transcript — Edmund Clark Assignee of Paul Yount vs Wm Faught

The plaintiffs demand by note filed on the 11th day of July 1834 towit

Justis fees	
Entry	12½
Issue &	12½
Indst	12½
Appearance	25
Trans	25
Cons fees	
S-S	25
Mil	4
Return	5

$54.87½ cents due the 1st day of July 1833 Credited with five dollars August the 26th 1833 do with $6 50 cts August 27th 1833. Balance on said Note $43,37½ A Summon is issued on the above cause of debt against the defendant to James Deegan Const of Centre Township on the 11th day of July August 1834 returnable on the 16th of this Inst at 10 Oclock A M on said day. Afterwards towit on the said 16th day of July, at the time aforesaid, the aforesaid writ is returned, towit, Served the same day by reading James Deegan Const And at this time the parties are called, the plaintiff comes in his own proper person, and the defendant also personally appears and withdraws himself without contending and after the premises are examined, It is considered that plaintiff recover of the defendant the sum of $43,37½ cents debt together with $2,80 cents damage for the detention thereof, making together the sum of $46,25 cents, also the costs of this suit herein expended in this behalf, and the defendant in mercy &c. Given under my hand and seal, this the 16th day of July 1834

Noah Harding J P (Seal)

I do certify that the above is a true Transcript from my docket of the proceedings had before me Given under my hand, this 7th day of August 183 Noah Harding J.P.

And afterwards towit on the fourteenth day of October in the year Eighteen hundred and thirty four the same being the second Judicial day of the term of the court first aforesaid before the Honorable the Judges first aforesaid Now comes the plaintiff by Nave his attorney, and the defendant personally comes also, and says nothing in bar or preclusion of the plaintiffs demand. And the premises being seen, It is considered by the court here that the plaintiff recover of the defendant the sum of forty six dollars and ninety four cents with four dollars and sixty two cents for the ten percentum on the amount of the Judgment before the Justice making together the sum of fifty one dollars and fifty six cents and also the sum of four dollars and ninety eight ¾ cents for for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c

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Pleas before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires associate Judges of the Hendricks circuit court within and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, towit,

Homer Brooks
John vs Montague } Debt

Be it remembered that heretofore, towit, on the twenty ninth day of August in the year Eighteen hundred and thirty four the above entitled plaintiff by Morrison his Attorney filed in the clerks office of the Hendricks circuit court the following note and declaration, towit, First the Note ——— $125,00

Indianapolis January 28th 1832 Nine months from date we or either of us promise to pay to Homer Brooks or bearer the sum of One hundred and twenty five dollars for value received, the above note to bear Interest at the rate of four dollars per month after due till paid

John Montague
John Tansel

On the back of said is the following endorsement, towit, Recd 17 Oct 1832 of

John Montague twenty five dollars on the within. I Morrison for H Brooks

The Declaration ——— State of Indiana, Hendricks Circuit Court of October term A D 1834 Hendricks county ss Horner Brooks plaintiff in this suit complains of John Montague defendant in this suit, of a plea that he render to him, the sum of One Hundred and twenty five dollars lawful money of which to him he ows and from him unjustly detains. For that whereas the said defendant heretofore, towit, on the twenty third day of January in the year of our Lord, One Thousand Eight Hundred and thirty two, at Indianapolis, in the county of Marion, towit, at Danville in the county of Hendricks and State aforesaid, by his certain instrument of writing commonally called a promissary Note, severally and jointly with one John Tansel promised to pay said plaintiff or bearer, the said sum of One Hundred and twenty five dollars above demanded, nine months after the date thereof, for value received and further in and by said certain instrument in writing or promissary note he the said defendant agreed that the same should bear interest, and that he would pay interest thereon at the rate of four dollars per month, after the same should become due until paid; yet the said defendant although often requested so to do, has not as yet paid to the said plaintiff, the whole or any part of said sum of money in said promissary note specified, nor the interest due thereon but to do the same hath hitherto wholy neglected and refused and still doth neglect and refuse to the damage of said plaintiff One hundred dollars, and therefore he brings Suit &c I. Morrison Atty for plff

And afterwards, towit, on the fourteenth day of October in the year Eighteen Hundred and thirty four, at the court house in Danville, the same being the second Judicial day of the term of the court aforsaid, before the Judges aforesaid, Now comes the plaintiff by his Attorney and it appearing to the Satisfaction of the court that the proces herein was served upon the defendant ten days before the first day of the present term of this court, the said defendant is thrice called and comes not, but makes default. It is therefor considered by the court here that the plaintiff recover of the defendant the sum of One hundred dollars in debt and seventy six dollars in damages for the detention thereof Making together the sum of One hundred and seventy six dollars, and also the sum of five dollars and forty seven cents for his costs and charges by him about his recovery in this behalf laid out and expended and the defendant in mercy &c

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Pleas before the honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit Court within and for the county of Hendricks, at a term of said court, began and held at the court house in the town of Danville on Monday the thirteenth day of October in the year of Our Lord One Thousand Eight hundred and thirty four Towit

Barnard Daugherty }
vs } Appeal
Thomas Kenton }

Be it remembered that heretofore, towit, on the twenty ninth day of September in the year Eighteen hundred and thirty four

William McP Mitchell a Justice of the peace within and for the County of Hendricks filed in the Clerks office of the Hendricks Circuit Court, the following affidavit & Transcript of the proceedings had before him in the above entitled cause — First the affidavit

I Barnard Daugherty, am the absolute owner of One Waggon, two Yoke of Oxen and Chain which have been taken on Execution in favour of Thomas Hunton against John G Myers, which property I claim as absolute owner Barnard Daugherty

On the 3rd day of September 1834 personally appeared before me William Mitchell a Justice of the peace in and for Franklin Township, Hendricks County Indiana, the above named Barnard Daugherty and maketh oath that the foregoing statements made by him are true as he verily believes Wm McP Mitchell JP

Entry 12½
oath 6¼
affidavit 12½
subpoena 25
Sept 25
subp 25
Entry of Jury &c 12½
summoning Jury 25
swearing & wit 50
Execution 12½
Rec'd Costs
Wm McP Mitchell
Transcript 12½
mileage 68¾

The Transcript — Claim of trial of property Sept 3rd 1834 by consent of the parties this cause is set for for trial on the 4th of said month at 12 oclock on said day; on said day the parties appeared, and Jury called and investigation being had and the Jury retired to a private place, and returned with the following verdict "We the Jurors do find the property now in despute subject to be sold by the execution of the defendant as the property of John G Myers and do consider the 2 yoke of cattle and Waggon and chain to be worth One hundred and five dollars this 4th Sept 1834 Thomas Robertson

Wm McP Mitchell JP (Seal) BR Wormsley Jeremiah Stiles

Execution issued to McVaugh constable for costs Sept 8th 1834 Execution returned satisfied McVaugh constable Wm McP Mitchell J.P.

I do hereby certify this to be a true copy from my Docket Sept 24 1834
Wm McP Mitchell (Seal)

Constables fees
summoning 8
subpoena $1.00
mileage 25
sum Jury 25
attending Jury 12½
trial Rec'd
costs
McVaugh cond

Jury fees
BR Wormsley
Thos Robertson 25
J Stiles 25

Witness fees
Sarah Hunton 25
David Hunton 25
Henry McAllen 25
Alsa his wife 25
James Shipley 25
Riley Bains 25
George Hunton 25
Rec'd cost

And afterwards, towit, on the fourteenth day of October in the year Eighteen hundred and thirty four at the Court house in the town of Danville, before the honorable the Judges aforesaid the same being the Second Judicial day of the term of the court aforesaid. Now come the parties by their Attorneys and on motion this appeal is desmissed at the costs of the plaintiff It is therefore considered by the court now here that the defendant recover of the plaintiff the sum of Six dollars and Eleven & half cents for his costs in this behalf expended since the taking of the said Appeal, and a Procedendo is awarded commanding the Justices to proceed to final execution in the premises

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Please before the honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the state of Indiana; and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court within and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, towit,

Andrew L Halstead
vs
William L Matlock } Trespass on the case

Be it remembered that heretofore, towit, on the third day of April in the year of our Lord one Thousand Eight hundred and thirty four, the above entitled plaintiff by Charles H Fletcher his attorney filed in the clerks office of the Hendricks circuit court the following declaration in the above entitled cause, towit, Hendricks circuit court April term 1834 Andrew L Halstead Plff

complains of William L Mattock defendant of a plea of Trespass on the case upon promises. First count) For that whereas one James Mattock (the maker) heretofore towit, on the second day of July in the year 1832 at Danville in the County of Hendricks and State of Indiana, made his certain promisary note in writing, bearing date date the day and year aforesaid, and thereby then and there promised to pay fifteen month after the date thereof, to the order of the said defendant by the name and description of Wm L Mattock Two hundred and Eighty three dollars for value received and then and there delivered the said promisary note to the said defendant: and the said defendant to whose order the payment of the said sum of money in said promisary note before the payment of the said sum of money therein specified towit, on the day and year aforesaid at Danville in the County and State aforesaid endorsed the said promisary note, by which said endorsement, he the said defendant then and there ordered and appointed the said sum of money in the said promisary note specified to be paid to the said plaintiff; and then and there delivered the said promisary note to the said so endorsed as aforesaid to the said plaintiff

But the said plaintiff avers that before the note became due, towit, on the day of September in the year 1832 the said James Mattock (the maker of said promisary note) departed this life entirely insolvent, leaving not sufficient lands and tenements, goods, chattels, rights, credits, moneys and effects whereon to be administered to pay said sum of money in said promisary note specified or any part thereof Whereford the said defendant became liable to pay to the said plaintiff the said sum of money in said promisary note specified according to the tenor and effect thereof; and being so liable afterwards, towit, on the day and year aforesaid undertook and promised to pay to the said plaintiff the said sum of money in said promisary note specified according to the tenor and effect thereof

2d Count And whereas also, the said defendant afterwards, towit, on the day and year aforesaid, at Danville, in the County and State aforesaid, accounted with the said plaintiff of and concerning divers other sums of money before that time and then and there due and owing, and in arrear and indebted to the said plaintiff in the further sum of Two hundred and Eighty Three dollars to be paid by the said defendant to the said Plaintiff when he the said defendant should be thereunto afterwards requested whereby, and by reason of the last mentioned sum of money being and remaining wholly unpaid, an action has accrued to the said plaintiff to demand and have of and from the said defendant the said sum of two hundred & Eighty three dollars

3d Count And whereas also on the day and year aforesaid at Danville in the County and State aforesaid the said defendant was indebted to the plaintiff in the further sum of Two hundred and Eighty three dollars as well for goods sold and delivered by the plaintiff to the defendant, as for money lent and advanced, and money paid by the plaintiff to the defendant, and money had and received by the defendant for the plaintiff, and that in consideration thereof the defendant afterwards, towit, on the day and year aforesaid promised the plaintiff to pay him the same. Yet the saide defendant although often requested so to do, hath not as yet paid the said sums of money) as in the several counts of this declaration mentioned or any part thereof to the said plaintiff, But to do the same has hitherto refused, and still does refuse, To the damage of the said plaintiff $500 and therefore he brings this suit

Quarles & Fletcher for Plff

And afterwards towit on the fifteenth day of April in the year Eighteen hundred thirty four at the Court House in the town of Danville, before the Honorable Bethuel

J. Morris President Judge of the fifth Judicial circuit as aforesaid, and Thomas W. Lockhart Esquire one of the Associate Judges of the Hendricks circuit court, in for the county of Hendricks, the same being the second Judicial day of the April term of said court in the year last aforesaid, came now the parties by their Attorneys and the process herein not having been served ten days before the present term this cause is continued until the next term And afterwards, towit, on the fifteenth day of October in the year last aforesaid the same being the third Judicial day of the term of the court first aforesaid before the Honorable the Judges first aforesaid And now comes the plaintiff by Fletcher his attorney, and the defendant by his attorney Comeslas, and on his motion the plaintiff is ruled to give him a copy of the promissary note in the declaration mentioned, with the endorsements thereon, which is done. And the defendant files his several demurrers to each of the Counts in the declaration, as follows, towit, Mattock ads Halstead And the said Mattock comes and defends the wrong & injury when &c and for plea to the first count in said declaration, saith that same and the matters & things therein alleged are insufficient in law for him said plaintiff to have and maintain his said action thereon, and this he the said Mattock is ready to verify. And for plea to the 2d Count in said declaration said Mattock saith that the same and the matters and things therein alleged are insufficient for him said plaintiff to have and maintain his said action thereon, and this he is ready to verry and therefore prays Judgment. And for plea to the 3d Count in said declaration, said Mattock saith the same and the matters and things therein alleged are insufficient in law for him the said plaintiff to have and maintain his said action thereon, and this he is ready to verify, and therefore prays Judgment Nave for defendant to which the plaintiff files his Joinders, as follows, towit, And the said plaintiff says that the matters said first, second and third counts in the said plaintiff declaration are sufficient in law for the plaintiff to have and maintain his aforesaid action thereof against the said defendant as there stated, and this he is ready to verrify wherefore he prays Judgment &c Quarles & Fletcher for Plff

And the premises being seen, It is considered by the court here that the said declaration is sufficient in law for the plaintiff to have and maintain his action thereon against the defendant And the plaintiff says he will no further prosecute his second and third counts of his said declaration. And the premises being seen; It is considered by the court now here, that the plaintiff recover of the defendant the sum of three hundred dollars and Eighteen cents for his damages by him sustained in the premises, and also the sum of Six dollars and forty four cents for his costs and charges by him about his recovery in this behalf laid out and expended, and the defendant in mercy &c

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Gideon Wilson Esquire one of the Associate Judges of the Hendricks circuit court within and for the County of Hendricks, at a term of said court began and held at the Court house in the town of Danville on Monday the Thirteenth day of of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

James H Hays
vs
Elijah Anderson } Appeal

Be it remembered that heretofore, towit, on the Eleventh day of June in the year Eighteen hundred and thirty four John Dunn a Justice of the peace within and for the county of Hendricks filed in the clerks office of the Hendricks circuit court on behalf of the defendant the following account, (the cause of action) plea and Transcript of the proceedings had before him in the above entitled suit — First the account as follows, towit,

May the 3 1834 Elijah Anderson Dr to James H Hays, To one Breakfast Table $5,00 Credit by Anderson account $3,21 —— The defendants plea towit, May 7th 1834 James Hays vs Elijah Anderson, a suit depending before John Dunn Esqr And for plea saith that I owe the said James Hays nothing, nor never have, therefore I claim an nonsuit Elijah Anderson

The Transcript —— James Hays vs Elijah Anderson, Apennet, demand by account $5,00 Be it remembered that on the 3d day of May 1834 James Hays filed his account as a cause of action against Elijah Anderson on which the following proceedings were had, towit, on the same day a summon ispued directed to James Deegan Constable, returnable on the 7th day of May 1834 at 9 oclock A M, also on the same day a Subpoena ispued directed to James Deegan Constable, returnable on the same day last aforesaid at 9 oclock A M, on behalf of the defendant, on the 6th day of 1834 a subpoena ispued in favour of the plaintiff for one witness returnable on the 7th of this instant at 9 oclock A M, the first Summons as above returned Served as directed the 3d day of May 1834 by reading. Also the subpoenas as above returned Served as directed, the 1st on the 3d day of May 1834 and the second on the 6th of this instant a Subpoena ispued on the 7th day of this instant, returnable forwith, said Subpoena last mentioned returned Served as directed Now comes the parties, the defendant moves to rule the plaintiff to Security for costs and files his affidavit &c which was done accordingly I William Faught do hereby acknowledge myself Security for all costs that have or may accrue on the above suit this day of May 1834 William Faught Now come the parties and go into trial, the case being fully heared and inspected, and all things touching the same; It is therefor considered that the said plaintiff recover of the said defendant the Sum of ninety one and a half cents, together costs of suit & the defendant in mercy &c John Dunn J.P.

On the 31st day of May 1834 an Execution ispued directed to James Deegan Constable returnable in thirty days On the 2d day of June 1834 the said defendant came and filed his bond according to the Statute in such case made and provided and demands an Appeal of this case to the Hendricks Circuit Court, which was granted, the Execution as above was called in consequence

Justices fees	
Entry	12½
Summons	12½
writting affidavit	12½
admr oath	6¼
1st Sub	25
2 Sub	25
3d Sub	25
Execution	12½
Swearing wit	18¾
writing 2 bonds	50
Transcript	43¾
Witness fees	
John Robinson	25
James McNeal	25
Constables fees	
Serving Sum	25
Return	5
Serving 1st Sub	12½
Return	5
Serving 2 Sub	12½
Return	5
Serving 3 Sub	12½
Return	5
returning Exec	10

of the said defendants appeal &c
my docket, the 11th of June 1834

I do hereby certify that the above is a true Transcript from
John Dunn J P (Seal)

And afterwards, towit, on the fifteenth day of October in the year Eighteen hundred and thirty four at the court house in Danville before the Judges aforesaid the same being the third Judicial day of the term of the court aforesaid Come now the parties by their attorneys and this cause is submitted to the court without the intervention of a Jury And the allegations and proofs being heard; It is considered that the plaintiff take nothing by his suit, and that the defendant go hence and recover of the said plaintiff the sum of Ten dollars and Eighty seven & ¾ cents for his costs and charges by him about his defence in this behalf laid out and expended

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana; and Elijah Anderson and Gideon Wilson Esquires associate Judges of the Hendricks Circuit court in and for the County of Hendricks, at a term of said court began and held at the court house in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, (towit)

John Stout
vs
Squire Osborn } Slander

Be it remembered that heretofore towit on the sixteenth day of January in the year Eighteen hundred and thirty four the above entitled plaintiff filed in the Clerks office of the Hendricks Circuit court the following declaration in the above entitled cause, towit, State of Indiana Hendricks County ss. Hendricks Circuit Court April term AD 1834 John Stout complains of Squire Osborn being in custody &c of a plea of Trespass on the case, For that whereas the said plaintiff now is a good, true, honest chaise virtuous and moral inhabitant of the State of Indiana, and as such hath always behaved and conducted himself, and until the committing of the several grievances by the said defendant, as herein after mentioned, was always respected esteemed and accepted by and amongst all his neighbours and other good and worthy citizens of the State of Indiana, to be a person of good name fame and credit, towit, at the county of Hendricks and State aforesaid, And whereas also the said Plaintiff hath not ever been guilty of the offences and misconduct, hereafter mentioned to have been imputed to the said plaintiff, by means of which said premises, he the said plaintiff before the committing of the said several grievances by the said defendant as hereinafter mentioned had deservedly obtained the good opinion and credit of all his neighbours, and other good and worthy citizens of the State of Indiana to whom he was in any wise known (towit, at the county and state aforesaid. Yet the said defendant, well knowing the premises, but greatly envying the happy state and condition of the said plaintiff, and contriving and wickedly and maliciously intending to injure the said plaintiff in his good name, fame and credit, and to bring him into publick scandal, infamy and disgrace with and amongst all his neighbours, and other good and worthy citizens of the State of Indiana, and to cause it to be suspected and believed by those neighbours and other good and worthy citizens of the State of Indiana, that he the said plaintiff had been and was guilty of the offences and misconduct, hereinafter stated to have been imputed to his charge, and subject him to the pains and penalties by

the laws of the state of Indiana made and provided and against and infliction upon person guilty thereof, and to vex, oppress, injure and wholly ruin him the said Plaintiff, heretofore, towit, on the day of May 1833, at the county of Hendricks and State aforesaid, falsely, wickedly, maliciously in a certain discourse or conversation which he the said defendant then and there had in the presence and hearing of divers good and worthy citizens of the State of Indiana, falsely, wickedly and maliciously spoke and published of and concerning the said plaintiff, and of the matters aforesaid that is to say he, meaning the said plaintiff pimped a bitch thereby then and meaning that he the said plaintiff had been and was guilty of the infamous crime against nature with a bitch, And afterwards, towit, on the day and year aforesaid, at the county of Hendricks and State aforesaid in a certain other discourse which he the said defendant then and there had in the presend and hearing of divers other good and worthy citizens of the State of Indiana, he the said defendant further contriving and intending as aforesaid then and there in the presend and hearing of the said last mentioned citizens falsely and maliciously spoke and published of and concerning the said plaintiff and of and concerning the matters aforesaid those other false scandalous, malicious and defamatory words following that is to say, he meaning the said Plaintiff frigged a bitch, thereby then and there meaning that the said John Stout Plaintiff had been and was guilty of the infamous crime against nature with a bitch And afterwards towit on the 10th day of May 1833 at the county of Hendricks and state of Indiana, in a certain other discourse which he the said Squire Osborn defendant then and there had in the presence and hearing of divers other good and worthy citizens falsely and maliciously spoke and published of and concerning the said plaintiff, and of and concerning the matters aforesaid those other false scandalous, malicious and defamatory words following, that is to say he meaning the plaintiff pecked a bitch, thereby then and there meaning that the said plaintiff had been and was guilty of the infamous crime against nature with a bitch. And afterwards towit, on the 5th day of June AD 1832 at the county of Hendricks and State of Indiana in a certain other discourse which he the said defendant then and there had in the presence and hearing of divers other good and worthy citizens, falsely and maliciously spoke and published of and concerning the said plaintiff, and of and concerning the matters aforesaid these other false scandalous, malicious and defamatory words following, that is to say he meaning the plaintiff Pimpled a bitch, thereby then and there meaning that the said plaintiff had been and was guilty of the infamous crime against nature with a bitch

By means of the committing of which said several grievances by the said defendant as aforesaid, he the said plaintiff hath been and is greatly injured in his said good name, fame and credit, and brought into public scandal infamy and disgrace, with and amongst all his neighbours, and other good and worthy citizens of the State of Indiana, insomuch that divers of those neighbours and citizens to whom the innocence and integrity of the said plaintiff in the premises were unknown, have on occasion of the committing of the said grievances by the said defendant, as aforesaid, from thence hitherto suspected and believed, and still do suspect and believe the said plaintiff to have been, and to be a person guilty of beastiality and the infamous crime against nature, the said offences and misconduct before stated to his charge. And have by reason of the committing of the said grievances

by the said defendant, as aforesaid, from thence hitherto wholly refused and still do refuse to have any transaction, acquaintance or discourse with him the said plaintiff as they were before used and accustomed to have and otherwise would have had

And by reason thereof the said Plaintiff hath been and by means of the premises otherwise greatly injured, at Town in the County of Hendricks and State aforesaid, to the damage of the plaintiff One Thousand dollars & therefore he brings Suit &c Mick & Nave for plff

And afterwards, Town, on the Sixteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty four, the same being the third Judicial day of the April term of the Hendricks circuit Court, held at the Court House in the town of Danville, by the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Hendricks circuit Court within and for the County of Hendricks At this time comes the parties by their attorneys and the defendant files a Demurrer to the first Second and third Counts of the said declaration and a Demurrer to the fourth Count of the said declaration, which said Several demurrers are in the words and figures following, (to wit) And the said defendant in the above Case comes and defends the wrong as to the first, Second and third Counts of said declaration, and saith the said Counts of said declaration and the matters and therein Contained in manner and form as the same are set fourth are insufficient in law for the said plaintiff to have and maintain his action thereof against him said defendant, and that the said defendant is not bound by law to answer the same and this he is ready to verrify, wherefore by reason of the insufficiency of said in said declaration mentioned, said defendant prays Judgment, and that the said plaintiff may be bared from having or maintaining his said action thereof against him

W Dearles for Defendant

And the said Osborn defendant in the above case, comes and defends the wrong and injury, as to the fourth Count of said declaration, and saith the said Count and the matters therein contained in manner and form as the same are set forth are insufficient in law for the said plaintiff to have and maintain his aforesaid action thereof against said defendant, and that he said defendant is not bound by Law to answer the same, and this he is ready to verrify, wherefore by reason of the insufficiency of said Count of the said declaration the said defendant prays Judgment, and that the said plaintiff may be bared from having and maintaining the same thereof against him

W Dearles for Deft

and the plaintiff files his Joinders to the demurrers of the defendant, as follows, (to wit) And the plaintiff for answer to the demurrers of the defendant to the first Second and third Counts in the declaration of said plaintiff, saith that the said first, Second and third are good and sufficient in law for the him said plaintiff to have and maintain his said action, and this he is ready to verrify and therefore prays Judgment

Mick for plff

and as for answer to the demurrer of the defendant to the fourth Count in said declaration, the plaintiff saith that the said fourth Count is sufficient in law for him said plaintiff to have and maintain said action, and this he is ready to verrify, Wherefore he prays Judgment

Mick for plff

And the premises being seen, It is considered by the Court here that the said first, Second and third Counts of the said declaration are sufficient in law for the plff to have and maintain his action thereon against the said defendant and the said fourth Count of the said declaration is not sufficient in law for the plaintiff to maintain his action thereon against the defendant. And

the defendant with the leave of the Court now withdraws his demurrers to the first Second and third Counts, and files his plea of not guilty, as follows And the said Osborn defendant in the above entitled cause. as to the first, Second and third Counts of said plaintiffs declaration Comes and defends the wrong & injury when &c, and saith that he is not guilty of the said supposed grievances as laid to his charge in said first Second and third Counts or any or either of them or any part thereof in manner and form as the the said plaintiff hath above thereof Complained against him, and of this he puts himself upon the Country

W Pearles Atty for Deft

and also a special plea thereto as follows And the said Osborn defendant in the above case Comes and defends the wrong &c. as to the first Second and third Counts of said plaintiffs declaration, and saith the said plaintiff ought not to have or maintain the said Counts, because he says that said supposed several causes of action in the said Counts mentioned did not nor did any or either of them accrue at any time within one year next before the Commencement of this said suit in manner and form as the said plaintiff hath above thereof Complained against him said defendant, and this the said defendant is ready to verify, wherefore he prays Judgment, if the said plaintiff ought further to have or maintain his said action thereof against him

W Pearles for Deft

And the said plaintiff adds his Semmellelon to the said first plea and files his repelication to the said Second plea as follows, towit, And the said plaintiff for repleication to the said plea of the said defendant by him above pleaded says precludo non &c because he says that the said causes of action in the said first, second and third Counts mentioned, and each and every of them, did accrue to him said plaintiff within One year next before the Commencement of this suit, in manner and form as he the said plaintiff hath above complained against said defendant, towit, at &c aforesaid and this he, the said plff is ready prays may be enquired of by the Country &c Save &c and the defendant now files his affidavit and thereon moves the court to continue this cause; and the premises being seen, this cause is continued until the next term at the costs of the defendant. And that the defendant pay the costs of the present term in Sixty days and that on failure he be attached, And afterwards, to wit, on the fifteenth day of October in the year first aforesaid at the Court house in the town of Danville, before the Honorable the Judges first aforesaid, the same being the third Judicial day of said term of the Court aforesaid Now Come the parties and file the following agreement in writing It is agreed by and between the plaintiff and defendant in this case that the said suit be dismissed at the costs of the defendant except the costs of summoning the witnesses in behalf of the plaintiff, which the plaintiff agrees to pay In witness whereof the said plaintiff and defendant doth hereunto set their hands and seals, this 8th day of October 1834 John his Clout mark (Seal) Squire his Osborn mark (Seal)

It is therefore considered by the Court here that the plaintiff recover of the said defendant the sum of Ten ——— dollars and Thirty four ——— cents for the residue of his costs and charges (excepting the Summoning of his witnesses) by him about his recovery herein laid out expended

Please before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks circuit Court within and for the County of Hendricks at a Term of said Court began and held at the Court house in the town of Danville on monday the thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four, (towit,)

Moses Vice
vs
John Richardson } Trespass

Be it remembered that heretofore, towit, on the seventeenth day of March in the year aforesaid, the above entitled Plaintiff by his attorney filed in the Clerks office of the Hendricks circuit Court the following Declaration in the above cause, towit, State of Indiana Hendricks county Set. Moses Vice vs John Richardson. Hendricks Circuit Court April term Anno domini 1834 Moses Vice Plff by his attorney Complains of John Richardson deft in Custody &c of a plea of Trespass with force and arms &c For that the said John Richardson defendant, on the tenth day of November 1833, and on divers other days and times before the Commencement of this suit, and within the Jurisdiction of the Hendricks Circuit Court, with force and arms, and with strong hands broke and entered divers Closes, towit, two closes of the said Moses Vice Plff, situate lying and being in the Township of Eel River in the County of Hendricks and State aforesaid, and then and there broke and threw down two fences of the said Moses Vice Plff of great value, towit, of the value of twenty dollars, then standing and being on the said Closes and with feet in walking trod down trampled upon, consumed and spoiled the grass, herbage, and corn of the said Moses Vice Plff great value, towit, of the value of One hundred dollars, then and there growing and being, in, on the said Closes, and with Cattle, towit, horses, mares, geldings, cows, calves, oxen and hogs, eat up and depastured the grass and herbage and corn of the said Moses Vice Plaff, of great value, towit, of the value of One hundred dollars then growing and being in the said Closes, and with divers other horses, mares, geldings, hogs and cattle, and also with the wheels of divers Carts, waggons and other Carriages Crushed, damaged and spoiled other the grass, herbage and corn of the said Plaintiff, of great value, towit, of the value of One hundred dollars there, then also growing and being, and with the feet of the said horses, mares, Geldings, and oxen, and with the wheels of the said carts, waggons and other carriages, tore up, and subverted, damaged and spoiled the earth and soil of the said Closes, and thereby greatly injured and spoiled the said Closes, and hindered and and prevented the said Plaintiff during the time aforesaid from having the use and enjoyment thereof in so large and ample a manner as he might and otherwise would have done, towit, at the County of Hendricks and State aforesaid, and other wrongs to the said Paintiff then and there did to the great damage of the said Plff and against the peace and dignity of the State of Indiana. Wherefore the said Moses Vice Plff saith that he is injured and hath sustained damage to the amount of $250,00, and therefore he brings his suit &c

6.6. Nave attorney for Plff

And afterwords, towit, On the Sixteenth day of April in the year first aforesaid the same being the third Judicial day of the April term of the Hendricks Circuit Court began and held at the court house in the town of Danville by the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, Associate Judges as aforesaid, At this time come the parties by their Attorneys and the defendant files his plea of not guilty as follows towit John Richardson ads Moses Vice. Hendricks circuit Court April term 1834. Case &c. And the said

defendant comes and defends the force and injury when &c, and says he is not guilty in manner and form as the plaintiff hath complained against him, and of this he puts himself upon the country &c Brown for Plff

And the plaintiff adds his Simmeteter thereto. And the plaintiff now makes and files his affidavit, and thereon moves the court to continue this cause, and the premises being seen this cause is continued at the costs of the plaintiff, Ordered that the plaintiff pay the costs of the present term within sixty days, and that on failure he be attached. And afterwards, towit, on the fifteenth day of October in the year first aforesaid, the same being the third Judicial of the term of the court first aforesaid, before the Honorable the Judges first aforesaid, come now the parties by their Attorneys, and by their agreement here made the defendant confesses that the plaintiff sustained damages to the amount of One Cent, and withdraws his plea, with which the plaintiff is content It is therefore considered by the court here that the plaintiff recover of the defendant the sum of One Cent in damages and also the sum of Thirteen dollars and Sixty Eight Cents for his costs and charges by him about his recovery in this behalf laid out and expended, and the defendant in mercy &c

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Please before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of said Court began and held at the Court House in the Town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

William McGee
vs
James Sigerson & Wesley McKinley } Replevin

Be it remembered that heretofore, towit, on the twenty fifth day of August in the year aforesaid, the above entitled plaintiff filed in the Clerks office of the Hendricks Circuit Court the following Declaration and affedavit in the above cause. First the Declaration as follows towit

State of Indiana Hendricks Circuit Court. of October Term AD 1834
James Sigerson and Wesley McKinley were Summoned to answer William McGee of a plea wherefore they took the goods and Chattles of said William McGee towit two geldings, and unjustly detain the same against Sureties and pledges until &c and whereof the said William McGee by his attorney complains, For that the said defendants on the Thirteenth day of August AD 1834, in Centre Township in the said County of Hendricks, in a certain Stable on the land and in the Close of the said plaintiff commonally called McGee's farm, took the goods & chattels of the said plaintiff, towit, two Sorrel geldings of great value, towit of the value of thirty five dollars each, and unjustly detained the same against Sureties & pledges until &c And for that also the said defendants on &c, at &c aforesaid in a certain other close, in said Township and County commonly called McGee's farm, unjustly and unlawfully detained the goods and chattles of said plaintiff, towit, two other Sorrel geldings of great value, towit, of the value of thirty five dollars each, against

Sureties and pledges until 46, wherefore the said plaintiff saith he is injured and hath sustained damage One hundred dollars, and therefore he brings his suit. Wick & Morrison for Plff

The affedavit — as follows, towit, State of Indiana Hendricks County ss. William McGee being duly sworn deposeth and saith, that two Sorrel geldings the proper goods and chattels of said McGee, of the value of thirty five dollars each, were on the 13th day of August AD 1834 at said County unjustly and unlawfully taken from the possession of said ~~County~~ McGee by one James Sigerson, and that the same are unjustly and unlawfully detained from him by said Sigerson and one Wesley McKinley, and further saith not

William Megee

Sworn to and subscribed before me the Clerk of said County, this 25th day of August AD 1834

S.T. Hadley clerk

~~And on the day & year first aforesaid~~ before the Judges aforesaid And now come the parties by their ~~Attorneys~~ in this ~~cause~~ and the ~~Sheriff~~ ~~Coroner~~ ~~returned~~ upon which ~~writ~~ are read to them in the words following towit

State of Indiana Hendricks County. The State of Indiana to the ~~Sheriff~~ Coroner of Hendricks County Greeting; You are hereby commanded, that you take into your custody the following goods and chattels, towit, two Sorrel geldings of the value of thirty five dollars each, (the property of William Megee, and now in the possession of James Sigerson & Wesley McKinley as it is said) and them safely keep, until Wm Megee plaintiff herein shall satisfy and secure you by sufficient pledges, that he will well and truely prosecute this his writ of replevin against James Sigerson and Wesley McKinley defendants herein, and returns said goods and chattels to said Sigerson and McKinley, provided a return on the final hearing of the cause should be adjudged by the Court to the said defendants Sigerson and McKinley, and pay to the said defendants such damages as may be awarded them if they succeede in their defence herein, and that on being so satisfied and secured, you deliver the said goods and chattles to said Megee, And Summon the said Sigerson and McKinley to personally be and appear before the Judges of the Hendricks Circuit Court on the first day of their next Term, to be holden at the Court House in Danville on the Second Monday in October next to answer unto said William Megee of and concerning the tortious taking and unlawful detention of said goods and chattels to his damage One hundred dollars as is said, And have you then there this writ Given under my hand with the seal of said Court affixed at Danville, this 25th day of August 1834

S.T. Hadley clerk

And afterwards, towit, at the term of the Court aforesaid, before the Judges aforesaid, the foregoing writ of replevin was returned into Court with the following endorsement thereon, towit, I have, in obedience to the within writ, replevied, to the within named Wm Megee the goods and chattels within mentioned, as by this writ I am commanded, August 25th 1834

C B Naylor Coroner of H.C.

Served on the within named Sigerson and McKinley by reading August 28th 1834

C.B. Naylor Coroner of H.C.

And thereupon the defendants move the Court to quash the said writ and the proceedings thereon and the premises being seen the said writ is quashed, and the proceedings thereon set a side It is therefore considered by the Court, here that the defendants go hence and recover of the plaintiff the sum of Twelve dollars and Six & one half cents for their costs and charges by them about their defence in this behalf laid out and expended

And afterwards towit on the fifth Judicial day of the term of the Court aforesaid Come the Plaintiff by his attorney and files his bill of Exceptions as follows, towit,

William Megee vs James Sigerson & Wesley McKinley Replevin Be it remembered that in this cause the Court granted to the defendants Oyer of the writ and officers returne thereon, and upon motion of said defendants to quash the said writ and set aside the proceedings thereon the plaintiff produced here in Court the following affedavit by

him made and filed in the office of the Clerk before the issuing of the writ, which said affedavit is in the words & figures following, towit, State of Indiana Hendricks County ss William Megee of said County, being duly sworn deposeth and saith, that two Sorrel Geldings, the proper goods and chattels of said McGee of the value of thirty five dollars each, were on the 13th day of August AD 1834 at said County unjustly and unlawfully taken from the posession of said McGee by one James Sigerson, and that the same are unjustly and unlawfully detained from him by the said Sigerson and one Wesley McKinley, and further saith not

William Megee

Sworn to & subscribed before the Clerk of said County, this 25th day of August 1834

S.T. Hadley Clerk

But the Court sustained the motion of the Defts and quashed the writ and set aside the proceedings thereon and gave against the plaintiff for costs To all of which the plaintiff excepts and prays that this his bill of exception may be signed and sealed and made apart of the record, which is done accordingly

B. F. Morris (Seal)

Elijah Anderson (Seal)

Gedeon Wellson (Seal)

And prays an appeal and tenders and files and appeal Bond, as follows towit: Know all men by these presents that we William Megee and William Merrett each of Hendricks County Indiana, are held and firmly bound unto James Sigrson and Wesley McKinly of the same place in the penal sum of One hundred dollars to the payment whereof well and truely to be made we bind ourselves our heirs and legal representatives firmly by these presents, sealed with our seals and dated this 17th day of October 1834 The condition of the above obligation is such that whereas said Sigrson & McKinly have in the Circuit Court of said County at the October term thereof in the year 1834 obtained Judgment against said William Megee in an action of replevin instituted heretofore in said Court by said Megee against said James & Wesley & from such Judgment said Megee has prayed an appeal to the Supreme Court of said State Now Should the said Megee duly prosecute his said Appeal without delay & to effect the above bond shall be void, otherwise the same shall be in full force

Given executed and filed in the office of the Clerk of said Court & approved by the said Court October 17th 1834

Attest S.T. Hadley clerk

William Megee (Seal)

William Merrett (Seal)

Pleas before the honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the state of Indiana. and Elijah Anderson & Gideon Wilson Esquires Associate Judges of the Hendricks circuit court within and for the county of Hendricks at the October Term of said Court, in year of our Lord One Thousand Eight hundred and thirty four, began and held at the court house in the town of Danville Town

Pemberton S Dicken
Peter McRoberts } Trespas Assault & Battery

Be it remembered that heretofore to wit, on the first day of September in the year aforesaid, the above entitled plaintiff by H & G, Nave his Attorney, filed in the office of the clerk of the Hendricks Circuit Court, the following declaration, to wit, State of Indiana Hendricks County ss The October Term of the Hendricks Circuit Court AD 1834 Pemberton S Dicken plaintiff in this suit complains of Peter McRoberts defendant in this suit of a plea of Trespas Assault and Battery. For that the said defendant, on the thirtieth day of August in the year of our Lord One Thousand Eight Hundred and thirty four, with force and arms assaulted the said plaintiff, to wit, at Danville Hendricks County and State of Indiana, and with great force and violence, seized and laid hold of the said plaintiff (by his coat tail) and then and there (with a certain Stick, and with his fists) gave and struck the said plaintiff a great many violent blows and strokes on and about divers parts of his body, and also then and there with great force and violence shook and pulled about the said plaintiff and cast and threw the said plaintiff down to and upon the ground, and then and there violently kicked the said plaintiff, and gave and struck, him a great many other blows and strokes By reason of which said several premises, the said plaintiff was then and there greatly hurt, bruised and wounded and became and was sick, sore lame and disordered and so remained and continued for a long space of time, to wit, for the space of two days, then next following during all which time the said Plaintiff thereby suffered, and underwent great pain, and was hindered and prevented from performing and transacting his necessary affairs, and business by him during that time, to be performed and transacted, to wit, at the County of Hendricks and State aforesaid And also for that the said defendant on the day and year aforesaid, with force and arms &c again assaulted the said Plaintiff to wit, at Danville Hendricks County and State aforesaid, and then and there again beat bruised and ill treated him, and other wrongs to the said Plaintiff then and there did against the peace and dignity of the State of Indiana, and to the damage of the said Plaintiff of five hundred dollars, and therefore he brings his suit &c

H & G Nave Atty for Plff

And afterwards, to wit, on the fifteenth day of October in the year first aforesaid the same being third Judicial day of the term of the court aforesaid, before the Judges aforesaid, Came now the parties by their Attorneys, and the defendant files his plea of not guilty as follows, to wit, Peter McRoberts Defs Pemberton S Dickens Trespas in the Hendricks Circuit Court And the said Peter McRoberts defendant in the above entitled cause comes by W Pearles his Attorney and defends the force and injury, when &c, and says that he is not guilty of the said supposed Trespases above laid to his charge or any part thereof in manner & form as the said Dicken hath above thereof complained against him, and of this the said defendant puts

W Quarles for Defendant

himself upon the country
to which the plaintiff adds his similiter; wherefore let a Jury come; And
the Sheriff as commanded brings here into court the Jurors of the Jury (towit,
Daniel B Tryp, Iredell Jackson, Charles Ferguson, Wakefield Trotter, Solomon Blair
Wynn Jones, Paul Faught, Jesse Davis, Thompson Farmer, Abel Smith James
Ward and Thomas Hill twelve good and descreet housholders of the county
who being elected tried and sworn a true verdict to give upon the issue aforesaid
after hearing the issue aforesaid Say we of the Jury find the defendant guilty
and assess the plaintiffs damage at thirty dollars It is therefore considered
by the court here that the plaintiff recover of the defendant the sum of thirty
dollars and also the sum of Seventeen dollars and thirteen cents
for his costs and charges by him about his recovery in this behalf laid out
and expended and the defendant in mercy &c

Pleas before the Honorable Bithuel F Morris President Judge
of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson
and Gideon Wilson Esquires Associate Judges of the Hendricks circuit
court in and for the county of Hendricks at a term of said court begun
and held at the court house in the town of Danville on Monday the
thirteenth day of October in the year of our Lord one Thousand Eight
hundred and thirty four (towit)

Burns Gaylor an infant
By his father G.G. Gaylor
vs
Franklin Trotter

Appeal from the Board doing
County Business

Be it remembered that heretofore (towit)
on the Eleventh day of October in the year aforesaid the following copy of
a decision of the Board doing County Business in and for the county
of Hendricks was filed in the clerks office of the Hendricks court, towit,
State of Indiana Hendricks county Board of Commissioners
September Term 1834 Tuesday Sept 2d 1834 Present the Honorable
Noah Harding Esq President and Harman Brittain, Wm Trotter
James Parks, Samuel Shannon Wm A Stevens and Wm Davis Esqures
members of said Board The Board now proceeds to select a student
for the Indiana College agreeably to the act approved February 1st 1834
Applicants Burns Gaylor, Franklin Trotter & Zachariah Bagan
and upon balloting it appears that Franklin Trotter is duly selected
A true copy from my record Attest P T Hadley clerk
And afterwards towit on the Sixteenth day of October in the year aforesaid
the same being the fourth Judicial day of the term of the court aforesaid
Come now the parties by their Attorneys and the premises being seen
It is considered by the court now here that the determination of the
said Board be in all things affirmed, and that the defendant go
hence and recover of the plaintiff the sum of three dollars and
fifty two cents for his costs and charges in this behalf laid out and
expended

Plea before the Honorable Bethuel F. Morris Presedent Judg of the fifth Judicial circuit of the State of Indiana And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court within and for the county of Hendricks, at the October Term in the year of our Lord One Thousand Eight hundred and thirty four Towit

O. M. Spencer assignee of Blackly Wells & Simpson

vs

Thomas J. Mattock } Debt

Be it remembered that heretofore, towit, on the sixteenth day May in the year aforesaid the above entitled Plaintiff filed in the Clerks of the Hendricks circuit Court the following note (towit, $1157. 31/100 Cincinnati March 16th 1833 Six months after date We the subscribers of Belville county of Hendricks and state of Indiana promise to pay to the order of Blackly Wells & Simpson Eleven hundred & fifty Seven 31/100 Dollars at the office of the Bank of the United States at Cincinnati, for value received. Mattock & Jessup (seal)

And afterwards, towit, on the sixteenth day of October in the year aforesaid, at the court house in the town of Danville, before the Judys aforesaid, the same being the fourth Judicial day of the term of the court aforesaid Now at this time comes the plaintiff by Fletcher his Attorney and files his Declaration in this behalf as follows towit, Hendricks circuit Court October Term 1834 O M Spencer plaintiff Complains of Thomas J Mattock defendant in a plea that he render unto him the sum of $1157 31/100 which he owes to & unjustly detains from the said Spencer For that whereas the said Thomas J Mattock & one Levi Jessup heretofore, towit, at Cincinnati, towit, at the county of Hendricks aforesaid on the 16th day of March 1833 by the name & description of Mattock & Jessup made their certain promisary note in writing whereby Six months after date promise to pay to the order of Blackley Wells & Simpson $1157 31/100 at the office of the Bank of the United States at Cincinnati for value received & then & there delivered the same to the said Blackly Wells & Simpson, and they the said Blackly Wells & Simpson on the day and year aforesaid, and before the payment of said note ~~to the~~ by endorsement thereon, assigned over and transfered the said promisary note to the said plaintiff whereby afterwards, towit, on the day and year aforesaid at the county aforesaid, the said defendant & said Jessup was indebted and became liable and promised and undertook to pay the said sum of money in said promisary note specified to the plaintiff Yet the said plaintiff in fact says that although the said defendant & the said Jessup was often requested so to do have not yet paid the said sum in the said promisary note specified or any part thereof to the said Blackly Wells & Simpson before the assignment of said note, or to the plaintiff since the assignment thereof but to pay the same have hitherto wholy neglected & refused and still do neglect & refuse to the damage of the plaintiff $1500,, Wherefore he sues O. M. Spencer

and the said Fletcher now files a Warrant of attorney in the words & figures following towit, Know all men by these presents that I Thomas J Mattock of the county of Hendricks and state of Indiana do hereby authorize constitute and appoint Calvin Fletcher my true and lawful Attorney for me and in my name to confess a Judgment in an action of debt

in favour of O M Spencer assignee of Blackly Wells & Simpson on the first or any subsequent day of the Hendricks circuit court October term 1834 for the amount of principal & interest that may then be due on a certain promissary note, a true copy of which reads as follows $1157 31/100 Cincinnati March 6 1833 Six months after date We the Subscribers of Belville, county of Hendricks and state of Indiana promise to pay to the order of Blackley Wells and Simpson Eleven hundred and fifty Seven 31/100 Dollars at the office of the Bank of the United States at Cincinnati for value received Mattock & Lespup

Endorsed as follows Pay Rec'd on acct of this note two hundred & Eighty nine dollars 06/100 June 13th 1833 Blackley Wells & Simpson
O M Spencer

And the said Calvin Fletcher comes and waiving all error for the want of a writ in this behalf or the filing of the declaration ten days before the first day of the term says that he cannot gainsay or deny but that the said Thomas J Mattock is justly indebted to the said plaintiff in the sum of Eight hundred and Sixty Eight dollars and twenty five cents in debt and fifty two dollars and eight cents in damages for the detention thereof. It is therefore considered by the court here, that the plaintiff recover of the said defendant sum of Eight hundred and sixty Eight dollars and twenty five cents in debt and fifty two dollars and eight cents in damages, making together the sum of Nine hundred and twenty dollars and thirty three cents and also the sum of three dollars and ninety five & 1/2 cents as and for his costs and charges by him about his said recovery in this behalf laid out and expended, and the defendant in mercy &c

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Pleas before the honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana and Elijah Anderson & Gedeon Wilson Esquires Associate Judges of the Hendricks circuit court within and for the county of Hendricks, at the October Term of said court began and held at the court house in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty four Towit

David Rice
vs
Jabitha Rice

Petition for a Divorce

Be it remembered that on the tenth day of March in the year aforesaid the above entitled plaintiff by Nave his attorney filed in the clerks office of the Hendricks circuit court the following petition or libel, towit, State of Indiana Hendricks County ss. Hendricks circuit court, April Term AD 1834 To the honorable the Judges of the Hendricks circuit court in Chancery setting, humbly complaining Sheweth unto your honors, Your orator David Rice who has been a resident of the State of Indiana for five years, and a resident of the county of Hendricks for two years last past, Your orator states that in the month of July On the 25th day of that month in the year of our Lord One Thousand

Eight hundred and thirty three, he intermarried with one Tabitha Furgeson in Hendricks County and State of Indiana, and lived with the said Tabitha as man and wife for about four months, and treated her Kindly and affectionatly as he was in duty bound to do, but the said Tabitha Rice formely Tabitha Furgeson without any cause whatever abandoned your orator, with a determination not to live with him any more, And your orator charges that the said Tabitha was guilty of Adultry with one George Riley, before her abandonment aforesaid, and that the said Tabitha was seen lying on the bed under the covering of said bed with the said George Riley, and that she was caught in the very act with the said George Riley, but your orator being desposed to put up with such treatment, reconciled the matter to himself, it bing the first violation of the matrimonial contract, but the said Tabitha would abandon your Orator, and did abandon him at the time aforesaid, at, towit, in the county of Hendricks aforesaid, and went to the County of Putnam in the State of Indiana where the said George Riley resided, And your orator further charges that the said Tabitha was and had been guilty of Adultery with divers other persons as he believes and has been informed, before her abandonment, from his bead and board as aforesaid. Your Orator is informed and verily believes that the said Tabitha has committed Adultery with divers other men since her abandonment as aforesaid from the bead and board of your orator, and as such she is notorious if report be true. Your Orator therefore pray your honors to grant him a divorce and decree a dessolution of the bands of matrimony now existing between your orator and the said Tabitha, and such other and further decree as may be just and right and equitable, and that the states writ of Subpoena be granted, and that the said Tabitha be made defendant to this bill, and compelled to answer the same on her corporal oath &c This 10th March 1834

&c Stave Attorney for complainant

And afterwards, towit, on the fifteenth day of April in the year Eighteen hundred and thirty four, at the court house in Danville, before the Honorable Bethuel F. Morris Presicent Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires apociate Judges of the Hendricks circuit court, the same being the second Judicial day of the April Term of the court aforesaid Come now the petitioner by his Attorney, and the proces herein being returned not found, on motion of the said Attorney this cause is continued and further proces is awarded

And afterwards, towit, on the sixteenth day of October in the year Eighteen hundred and thirty four at the court hose aforesaid in the town aforesaid before the Judges first aforesaid, the same being the fourth Judicial day of the term of the court first aforesaid, Now comes the petitioner by his Attorney and Herod for the state comes also, and it appearing to the satisfaction of the court that the proces herein has been duly served, the said Tabitha Rice is called but comes not, and the proofs being heared, the Bill of the said petitioner is dismised. Ordered that the said David Rice pay the costs herein accrued within sixty days and that on failure he be attached

Pleas Before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires. Associate Judges of the Hendricks circuit court, within and for the county of Hendricks, at the October term of the said Hendricks circuit court, begun and held at the court house in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty four Towit

William Perks
vs
Jesse Gibson } Slander

Be it remembered that on the Seventeenth day of March in the year Eighteen hundred and thirty four the above entitled plaintiff by Nave his attorney filed in the clerks office of the Hendricks circuit court the following declaration, towit, State of Indiana Hendricks county Set William Perks vs Jesse Gibson Hendricks circuit Court April Term AD 1834. William Perks Plff by C C Nave his Attorney complains of Jesse Gibson Deft being in custody &c of a plea of Trespass on the case for Slanderous words Spoken to his damage &c For that whereas the said William Perks Plff now is a good true honest and faithful citizen of the State of Indiana, and as such has always hitherto conducted and behaved himself, and until the committing of the several greevances, by the said Jesse Gibson deft, as herein after mentioned, was always reputed esteemed and accepted by and amongst all his neighbours and other good and worthy citizens of the state of Indiana, to whome he was in any wise known, to be a person of good name, fame and credit, towit, at the county of Hendricks and within the State of Indiana Jurisdiction of of the Hendricks circuit court, And whereas the said William Perks Plff hath not ever been guilty, or until the time of the committing the said several greevances by the said Jesse Gibson deft, as herein after mentioned been Suspected to have been guilty of any Kind of perjury, false swearing forswearing or any other deceit, fraud falsity, or even the Suspicion of them or either of them. By means of which said premises, the the said William Perks Plff before the committing of the said several Greevances by the said Jesse Gibson deft as herein after mentioned, had deservedly, obtained the good opinion and credit of all his neighbours and other good and faithful citizens of the county of Hendricks and State aforesaid, to whome he was in any wise known to exist, at the county of Hendricks and state aforsaid And whereas a certain Assault and battery was committed by one Lucinda Fowler upon the body of one Margaret Fowler on the tenth day of December 1832, at towit, in the county of Hendricks and state aforsaid And whereas at a certain term of the Hendricks circuit Court, began and held at the court house in the town of Danville on the second Monday in April 1833, by the Judge of said court, and according to law a grand Jury was elected, called Charged and qualified to enquire in and for the body of the county of Hendricks and state aforesaid And whereas Wesley McKinley was appointed by the court aforesaid as foreman of said Grand Jury aforesaid, and qualified as such, And the said Grand Jury in their deliberations as such by their proper officer ordered a Subpoend to issue from the Hendricks circuit court by the Clerk of said court to Summon the said William Perks to be

and appear before the Grand Jury of Hendricks County instantly to answer such questions as might be then and there propounded to him by the Grand Jury aforesaid and the said William Purks being sworn according to law by the foreman of the Grand Jury aforesaid, before the grand aforesaid, then and there testified and gave in evidence to the said grand Jury aforesaid, all and singularly those things which according to his Knowledge he knew to be true touching the apault and battery by one Lucinda Fowler upon the body of Margaret Fowler on the tenth day of December 1832, at the county of Hendricks and State aforesaid and then and there said, deposed and gave in evedence to the said grand Jury the truth and nothing else but the truth Yet the said Jepe Gibson now defendant very well Knowing all and singularly the premises and greatly envying the happy state and condition of the said William Purks Pliff, and wickedly and maliciously contriving and intending not only to injure, prejudice, degrade and damnify him the said William Purks Pliff in his good name, fame, credit, reputation and business, and to cause him to fall into disgrace and infamy amonghst all his neighbours and other good and worthy citizens of the State of Indiana and to subject him the said Plaintiff to the pains and penalties by the law of the state of Indiana made and provided against and inflicted upon persons guilty there of of purjury, and to vex, harrass, oppress injure and wholly ruin him the said William Purks Pliff heretofore (towit) on the day of May One Thousand Eight hundred and thirty three, at (towit), in the County of Hendricks and State aforesaid. In a certain discourse which he the said Jepe Gibson dept, then and there had of and ~~consideration~~ conversation concerning him the said William Purks, and of and concerning the said swearing before the grand Jury aforesaid, of and ~~consideration~~ concerning the apault and battery aforesaid in the presence and hearing of divers good and worthy citizens of the said State of Indiana then and there in the presence and hearing of the said last mentioned citizens, falsely wickedly and maliciously spoke and published, to, of and concerning the said William Purks Pliff, and of and concerning the said swearing of and concerning the said apault and battery aforesaid, by the said Lucinda Fowler committed upon the body of Margaret Fowler as aforesaid, these false scandalous, malicious and defamatory words following, that is to say William Purks (the Plaintiff meaning) swore that Lucinda Fowler struck Margaret Fowler and if he swore that he swore a point blank lie and he could prove it, (meaning the swearing before the grand Jury) by the said Pliff of and concerning the apault and battery aforesaid, by Lucinda Fowler upon the body of Margaret Fowler as aforesaid, he (meaning the said Pliff) is perjured, he swore false and swore to a lie Dt. And whereas afterwords (towit) on the same day and year last aforesaid, at the county of Hendricks and State aforesaid, in a certain other discourse that he the said Jepe Gibson dept, then and there had with divers good and worthy citizens of the County of Hendricks and State aforesaid of and concerning the said William Purks Pliff, and of and concerning the said swearing before the Grand Jury aforesaid of and concerning the apault and battery by Lucinda Fowler committed upon the body of Margaret Fowler (at the April Term of the Hendricks Circuit Court 1833 so as aforesaid given by the said William Purks Pliff, to the grand Jury aforesaid, he the said Jepe Gibson dept. then and there falsely, wickedly, and maliciously said, rehersed, published proclaimed openly and loudly published those other false, feigned scandalous and approbeous english words, following, of and concerning the said William Purks Pliff, in the presence and hearing of those good and worthy citizens as aforesaid, (towit) at the county of Hendricks and State aforesaid, William

Perks Plff (meaning the Plff) had sworn a lie and he could prove it (meaning the Plff) sworn a lie by testifying before the grand Jury at the April Term of the Hendricks circuit court. 1833 that Lucinda Fowler did commit an Apault and battery upon the body of Margaret Fowler as aforesaid, he meaning thereby sworn falsly and he could prove it, he meaning the Plff. was purjured and he could prove it, as aforesaid. By means of the committing of which said several greivances by the said Lysle Gibson deft, as aforesaid he the said William Perks hath been and is gritly injured in his good name, fame and credit, and brought into publick scandal, infamy and disgrace, with and amongst, all his neighbours and other good and worthy citizens of the said County of Hendricks and State of Indiana in so much that divers of those neighbours and citizens to whom the innocence and integrity of the said Plaintiff in the premises were unknown, have on occasion of the committing of the said greivences by the said defendant aforesaid from thence hitherto suspected and believed and still do suspect and belive the said Plff to have been guilty of and to be guilty of forswearing and perjury, and have by reason of the committing of the said greivances by the said defendant, as aforesaid, from thence hitherto wholy refused and still do refuse to have any Transactions acquaintance or discourse with him the said Plaintiff as they were before used and accustomed to do and have and otherwise would have had and the said William Perks, hath been and is otherwise at the county of Hendricks and state aforesaid to the damage of the said William Perks Plff One Thousand dollars and therefore he brings his suit &c

C C Nave Atty for Plff

And afterwards (towit) on the Seventeenth day of April in the year of our Lord One Thousand Eight hundred and thirty four, at the court house in the town of Danville, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Sanders & Thomas Lockhart Associate Judges of the Hendricks circuit court, the same being the fourth Judicial day of the April term of said court in said year, Come now the parties by their attorneys and the defendant files two pleas, first the general issue, secondly a special plea of Justification, as follows (towit) State of Indiana Hendricks county ss Lysle Gibson ads William Perks, Plaintiff. And the said Lysle Gibson Comes and defends the wrong and injury when &c and for plea to the plaintiffs said action saith he is in no wise guilty in manner and form as the plaintiff has above alledged against him & of this he puts himself upon the country. And for further and other plea in this behalf the defendant saith actio non because he saith that heretofore (towit) at the term of the circuit court of said county in said declaration named (towit) on the 13th day of April 1833 at said county, the said William Perks appeared before the grand Jury in the declaration named, and was sworn by the foreman thereof as is in said declaration alleged according to law, and in giving his testimony as is in said declaration alleged he the said William Perks did then and there (towit) on the day and year aforesaid, at said county, falsly wilfully knowingly and corruptly unlawfully his oath aforesaid, swear, state and give in evidence to the grand Jury aforesaid, in reference to the matter and persons in said declaration mentioned in substance that the said Lucinda Fowler in said declaration named had at the time in said declaration named, committed an Apault and battery upon the body of Margaret Fowler in said declaration mentioned, and that she the

said Lucinda had struck the said Margaret Fowler offenceively & without cause
Whereas in truth and in fact the said Lucinda Fowler did not at said time
commit and assault & Battery upon the said Margaret Fowler, and whereas
in truth and in fact the said Lucinda did not at said time strike the said
Margaret Fowler offenceively and without cause, but defenceively and in defending
herself against an assault at said County, & at said last mentioned time made
upon her the said Lucinda Fowler, by the said Margaret Fowler, and so in
said swearing and testifying on the day and year aforesaid, on the occasion
& in the manner aforesaid, at said County, did the William Perks commit
wilfull and corrupt perjury wherefore the said defendant did speak
the several words in the declaration named & alleged in manner & form
and at the time & place in said declaration alleged as he lawfully might for
the cause aforesaid, and this the said defendant is ready to verify, and
therefore prays Judgment W, W, Wick Atty for defendant
to which first plea the plaintiff adds his similiter and to the defendants said
second plea files his replication, as follows, (to wit) The Hendricks Circuit Court
April term 1834 Wm Perks vs Jesse Gibson. In Slander. And the said Plaintiff
as to the plea of the said defendant, by him first above pleaded, and whereof
he hath put himself upon the country, doth the like. And as to the said
plea of the said defendant by him secondly above pleaded, the said plaintiff
saith that he ought not, by reason of any thing by said defendant in said second
plea alleged, to be barred from having & maintaining his said action against said
defendant. at the said several times when, &c, in the declaration of said plaintiff
in that behalf above mentioned, of his own wrong & without the cause by him
in his said second plea alleged, did not commit the said several grievances in
said declaration mentioned, in manner & form as therein mentioned, (to wit,
at, &c, on &c aforesaid; And this the said plaintiff prays may be inquired of
by the country &c C, C, Nave Atty for Plff
and the defendant adds his similiter thereto And the defendant files his
affidavit and thereon moves the Court to Continue this cause, and the premises
being seen this cause is continued until the next term at the costs of the
defendant. Ordered that the defendant pay the cost of the present term in Sixty
days, or on failure thereof he be attached. And afterwards, (to wit, on the Sixteenth
day of October in the year Eighteen hundred and thirty four, at the Court house
in Danville, before the honorable the Judges first aforesaid, the same being the
fourth Judicial day of the term of the Court first aforesaid. At this time come
the parties by their Attorneys, and the Sheriff as commanded, brings hereinto
Court the Jurors of the Jury, (to wit, Moses Cavett, Jesse Linder, Henry Rammel,
James H Harp, Thomas Nichols, Solomon Blair, Abraham Smith Peter
McRoberts, Paul Faught, Charles Ferguson, and Thomas Heather twelve good
and discreet Householders of the County, who being elected, tried and Sworn
a true verdict to give upon the issue aforesaid, after hearing the evidence in
behalf of the plaintiff, The said plaintiff desmisses his suit, and the Jury
are discharged. It is therefore considered by the Court now here that the defendant
go hence and recover of the plaintiff the sum of twenty dollars and Ninety
four 0/100 cents for his costs and charges by him about his defence in this behalf
laid out and expended

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Willson Esquires, Associate Judges of the Hendricks circuit court in and for the County of Hendricks, at the October term of said court, began and held at the court house in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty four, Towit,

Sally Webb
vs
Peter Webb } Petition for a Divorce

Be it remembered that heretofore, Towit, on the fifteenth day of April in the year aforesaid, at the court house in the town of Danville, before the Honorable Bethuel F. Morris President Judge as aforesaid, and Thomas Lockhart, Elijah Anderson Esquires, ~~&c~~ of the Associate Judges of the Hendricks Circuit Court, the same being the second Judicial day of the April term of said court in said year. At this time comes the petitioner by Morrison her Attorney and files her petition in this behalf, as follows Towit,

State of Indiana Hendricks Circuit Court, of April Term AD 1834
Hendricks County ss. To the Honorable the Circuit Court of Hendricks county. Your Petitioner Sally Webb would respectfully represent, that she was lawfully married to Peter Webb in the month of October One Thousand Eight hundred and twenty eight, in the County of Monroe in said State, with whom she lived as a faithful and obedient wife until the month of February A.D. 1833, when the said Peter without cause left your petitioner with the intention of a final abandonment, and has ever since lived seperate and apart from your petitioner: That his residence has been and is entirely unknown to your petitioner, but she has understood and believes it is out of this State; That about six or eight months previous to his final seperation from your petitioner, the said Peter had been and was arrested and in Custody in the Jail of Green County on a charge and conviction before a Justice of the peace of that County of Larceny, and being so ~~in~~ Custody under a legal Commitment to await his trial at the next term of the Green Circuit Court, was forcably released from Jail and fled home, where he loitered and remained evading his recaption and recommitment until the before mentiond period, when he made his final elopement; That said Peter was idle improvident and negligent in providing for his own and his family support; That before his final seperation from your petitioner he had been and was guilty of Adultry, and that since that time your petitioner is informed and believes that he has married an other woman in the State of Illinois; That your petitioner has no means of support but her own daily labour, being destitute of property or money; That said Peter has left her with two small children of two and four years of age; That her present residence is in said County of Hendricks, and that she has resided in this State, ever since her marriage and before. For which Causes your petitioner prays the court to grant her a divorce from her said husband &c

J. Morrison Atty for Petitioner

And it appearing to the satisfaction of the court upon affidavit filed that the said Peter Webb is not a resident of the State, on motion, It is ordered

that notice of the filing and pendency of this petition be published in the Indiana Democrat three weeks successively at least sixty days before the first day of the next term notifying the said Peter Webb that unless he be and personally appear before the Judges of this Court on the first day of their next term and answer the allegations of the said petition the same will be heard and determined upon in his absence and this cause is continued. And afterwards Court, on the sixteenth day of October in the year first aforesaid, the same being the fourth Judicial day of term of the Court first aforesaid, before the Judges first aforesaid. And now comes the petitioner by her Attorney, and Herrod for the state comes also, and petitioner makes and files proof of to the satisfaction of the court, that the pendency of this petition has been duly published pursuant to the order of this court at the last term, And thereupon the said Peter Webb being thrice called comes not but remains herein wholly undefended. And the allegations and proofs being heard It is ordered, adjudged and decreed, that the bands of matrimony heretofore subsisting between the said Sally Webb and Peter Webb be dissolved, and that the said Sally Webb be divorced from her said husband, and restored to all the privileges of a feme sole, And it is further ordered that the plaintiff pay the costs herein accrued within sixty days and that an failure she be attached

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Pleas before the Honorable Bethuel F Morris President Judy of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Millson Esquires Associate Judges of the Hendricks circuit court, within and for the County of Hendricks, at the October Term of said Court, began and held at the court house in the town of Danville in the year of our Lord One Thousand Eight Hundred and thirty four (Towit,

Margaret Fowler
vs
James Fowler

Petition for a Divorce

Be it remembered that heretofore, towit, on the fifteenth day of April in the year aforesaid, the same being the second Judicial day of the April term of the Hendricks circuit Court began and held at the Court house in the town of Danville by the honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson and Thomas Lockhart Esquers, associate Judges of the Hendricks circuit court. Now at this time comes the petitioner by Nord her Attorney and files her petition in this behalf as follows, Towit,

State of Indiana Hendricks County, ss, Hendricks Circuit Court, April Term AD 1834. To the honorable the Judges of the Hendricks Circuit Court in Chancery sitting Humbly complaining Sheweth unto your honors, Your Oratrix Margaret Fowler formerly Margaret Walker, who has been a resident of the State of Indiana for ten years and a resident of the County of Hendricks for five years last past, Your Oratrix States that in the month of June, on the 9th day of that month, in the year of our Lord One Thousand Eight hundred and twenty five she was lawfully married to one James Fowler in Hendricks County and State of Indiana, and lived with the said ~~the said~~ James Fowler as an affectionate wife for about five years, and treated the said James kindly and affectionately as she was bound to do, But the said James Fowler her husband

without any just cause whatever abandoned your Oratrix, with a determination not to live with her any more. And your Oratrix would further represent to your honors, that she has two Children by the said James Fowler, and the said James has wholy failed to support your Oratrix and his two Children as he was in duty bound to do, and has left your Oratrix without any possible means of support, so that she is wholy at the mercy of her freinds and relations for her support, and the support of her two Children, aforesaid

And your Oratrix charges that the said James has gone off to parts unknown to your Oratrix, with the intention of not returning any more to live with her, and to support her and her two children aforesaid. And your Oratrix further charges that the said James has been and was guilty of Adultry with divers women of loose habits, both before his entire abandonment and since, from his own declarations, to divers persons

Your Oratrix further charges that the said James Fowler her husband has left her with the intention of an entire abandonment, for more than two years last past, And she has not the most distant of his ever returning to live with her again as an husband. Your Oratrix therefor prays your honors to grant her a devorce, and decree a dessolution of the bands of matrimony now existing between your Oratrix and the said James Fowler, and such other and further relief as may be just right and equatible And she will ever pray &c Margaret Fowler

by her Solr C C Nave

and it appearing to the satisfaction of the court upon affedavit filed that the said James Fowler is not a resident of this state, On motion It is Ordered that notice of the filing and pendency of this petition be published three weeks successively at least Sixty days before the first day of the next term, in the Indiana Journal, notifying the said James Fowler that unless he be and personally appear before the Judges of this court on the first day of this next term and answer the allegations of the said petition the same will be heared and determined upon in his absence, and this cause is continued And afterwords, (court) on the Sixteenth day of October in the year first aforesaid the same being the fourth Judicial day of the term of the court first aforesaid, before the Judges first aforesaid, Now comes the petitioner by her attorny, and Record for the State comes also, and the petitioner makes and files proof to the satisfaction of the court, that the pendency of this petition has been duly published persuant to the order of this court at the last term of the said James Fowler is thrice called but comes not and remains therein wholly undefended. And the alligations and proofs of the parties being heard; It is Ordered, adjudged and decreed that the bands of Matrimony subsisting between the said Margaret Fowler and James Fowler be dessolved, and that the said Margaret Fowler be devorced from her said husband, and restored to all the preveleges of a femme sole. And it is ordered that petitioner pay the costs herein accrued within Sixty days, and that on failure she be attached

Pleas before the honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gedion Millson Esquires, Apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks at the October Term of said Circuit Court, began and held at the Court house in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty four Towit,

William Megee
vs
James L. Givan & Christian C. Nave } Trespas

Be it remembered that heretofore Towit, on the fifth day of September in the year aforesaid, William Megee the above entitled Plaintiff by Morrison & Wick his Attorneys, filed in the clerks office of the Hendricks Circuit Court, the following declaration (towit, State of Indiana, Hendricks County, SS. William Megee Complains of James L. Givan and Christian C. Nave in Custody &c of a plea of Trespas, for that the said James & Christian heretofore on the 13 day of August 1834 with force and arms, entered the Close of him said Megee, situate in said County and then and there took & broke forcibly the door of a Stable of said Megee, situate in & upon said Close, of the value of three dollars & then and there two horse creatures, towit, Sorrel gildings each of the value of thirty five dollars then and there being in said Stable did forcibly & with force and arms took led & drove away & the same hath converted to his own use, & other wrongs to the said Megee then and there did to his damage of five hundred dollars and herein he sues Morrison & Wick for plff

And afterwards, towit, on the Sixteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four the same being the fourth Judicial day of the term of the Court aforesaid, before the Judges aforesaid, Come now the parties by their Attorneys and the defendants files their Joinder demurrer to the declaration of the plaintiff as follows, towit, In the Hendricks Circuit Court October Term AD 1834 James L Givan & Christian C Nave ats William Megee Trespas, damages $500,00 And the said defendants by their Attorneys said Come and defend the wrong and injury when &c and say that the said declaration and the matters therein contained in manner and form as the same are above stated and set forth are not sufficient in Law for the plaintiff to have or maintain his aforesaid action thereof against the said defendants, and that they the said defendants, are not bound by Law to answer the same, And this they are ready to verrify wherefore by reason of the insufficiency of the said declaration, in this behalf the said defendants pray Judgment and that the said Plaintiff may be barred from having or maintaining his aforesaid action thereof against them And the said defendants according to the Statute in the in such case made and provided states and shews to the Court here the following Causes of demurrer, to the said declaration. For that the said declaration is not entitled of any Term Court, neither doth it appear in and by the said declaration in what Court the said action is brought, against the said defendants; and also, that the said declaration is not entitled of any Term whatever; and also, that the said declaration does not allege that the two Sorrel Gelding horses were the personal property, of the Plff, and also for that the declaration does not aver that the Trespas and conversion was committed by both of the defendants with charging part thereof. And is otherwise defective

Fletcher Atty for deft

And the plaintiff files his Joinder And the premises being It is considered that the said declaration is sufficient in law for the plaintiff to have and maintain

his aforesaid action thereon against the defendant. And the defendants with the leave of the Court withdraw their demurrer and file their special plea in bar as follows to, towit, State of Indiana Hendricks County. October Term AD 1834 Givan & Nave ats William Mage. Trespas And the said defendants by their Attorny come and defend the force and injury when &c And say as to the breaking and entering the said Close of the said plaintiff and forcibly breaking the door of the said Plaintiff Stable of him the said Plaintiff of the value of three dollars and the taking forcibly with force and arms two sorrel Horses Geldings then and there being in said Stable in and upon said Close of him the said Plaintiff. And also then and there in said Stable in and upon said close, seize and take the said two sorrel Geldings in said declaration mentioned and converting and disposing of the same to their use above supposed to have been done by the said James L Givan and the said James L Givan and the said Christian C Nave. They the said James L Givan and Christian C Nave by leave of the Court hear, for this purpose first had and obtained according to the form of the Statute in such case made and provided, say that the said plaintiff ought not to have and maintain his aforesaid action thereof against them, because they say that the said James L Givan before the said time, when &c, towit, in the April Term of the Hendricks circuit Court 1833 in the Hendricks circuit Court before the Judges of the Court aforesaid at Court House in the town of Danville by the consideration and Judgment of the said Court rendered against one James M Teel in action of Desseizin the sum of Eight dollars in damage and also the sum of four dollars and fifty four cents as and for his costs and charges &c which in and by the said Court were then and there adjudged to the said James L Givan for his damages which he had sustained by by the unlawful detention of the premises and for his costs and Charges, by him by suit in that behalf expended whereof the said James M Teel was convicted as by the record and proceedings thereof remaining in the Hendricks Circuit Court aforesaid more fully appears which said Judgment still remains in full force and effect, not reversed, satisfied or otherwise vacated, And that the said James L Givan before the said time when &c, towit, in the April term of the Hendricks circuit Court 1832 before the Judges of the Hendricks circuit court at the court house in the town of Danville by the consideration and Judgment of the said Court recovered against the one James M Teel in an action of Domestic Attachment the sum of two hundred and twenty seven dollars sixty two and one half cents, and costs of suit, which in and by the said court, were then and there adjudged to the said James L Givan for his damages which he had sustained by the said James M Teel &c And also that Christian C Nave and Harvey Gregg before that time &c (towit), in the April Term 1833 of said court recovered before the Judges of said court, recovered a Judgment for one cent damages and nine dollars and thirty eight and a half cents costs &c in an action of Dispeezin And the said James L Givan and Christian C Nave further say that afterwards and before the said time when &c, towit, &c the said defendants in order to obtain satisfaction upon the Judgment aforesaid, sued and prosecuted out of the Hendricks circuit Court, their several writs of Fire Facias executions, directed to the Sheriff of Hendricks County, two of which were issued by the clerk of said court on the 7th day of July 1834 and on the the 10th day of July 1834, commanding him that of the goods and chattles, lands and tenements of the said James M Teel, he levy the said monies &c two of

which said executions came to the hand of said Sheriff to be levied on the 7th day of July 1834 and the one came to his hands to be levied on the tenth day of July 1834 And the said Givan & Nave further say that before and at the said time when &c Divers goods and chattels of the said James M Teel, towit, said two geldings liable to be taken in execution by the said James Leigerson Sheriff as aforesaid, under and by virtue of the said several writs of Execution were in the stable in and upon the close in the declaration mentioned, and thereupon under and by the virtue of the said several writs of execution the said James Leigerson sheriff as aforesaid and the said Givan & Nave as the said servants of the said James Leigerson Shff and by his command, afterwards and before the return of said writs of esce= =cution, at the said time when &c, peacably and gently entred into the said messuage or Stable in and upon the said close in order to seize and take said geldings * and did then and there seize and take in execution the said goods and chattels, towit, said two geldings of the said James M Teel in the introductory part of this plea mentioned, the same then and there being in the stable for the purpose of levying the monies so directed to be levied by the said executions and did on the 13th day of August 1834 levy said writs of executions on two sorrel geldings as commanded by said executions so to do; And in so doing the said James Leigerson so being such Sheriff as aforesaid and the said Givan & Nave as his servants as aforesaid did then and there necessarily and unavoidably make a little noise and disturbance in said Stable in and upon said Close, as they lawfully might for the causes aforesaid, doing no unnecessary damage to the said Plaintiff on that occasion; Which are the said, several supposed Trespaces in the introductory part, of this plea mentioned, and whereof the said Plaintiff hath above thereof complained against the said Givan and Nave, and this the said defendants are ready to verrify wherefore they pray Judgment if the said plaintiff ought to have and maintain his aforesaid action thereof against them & Fletcher for defts to which the plaintiff files his demurrer, as follows (towit, William Megee vs Givan & Nave. Trespass And the said plaintiff Comes and for Answer to the plea of the defendants above pleaded, saith that the same is insufficient in law to bar or preclude the plaintiff of having and maintaining his said action thereof and this he is ready to verify & therefore pray Judgment. and for Special cause of demurrer to said plea the plaintiff shews the following; said plea does not Justify the breaking of the Stable door in the declaration mentioned, nor admit or deny the same Wick for Pff

and the defendants file their Joinder as follows (towit, Megee vs Givan & Nave And the defendants come and say that this and the matters and things therein stated are sufficient in law for the said defendants to bar & preclude the said plaintiff from having & maintaining his aforesaid action thereof against them and this they are ready to verrify wherefore they pray Judgment &c Nave & Fletcher for defts

And the issue being submitted to the court, It is considered by the court the plea of the defendants is not sufficient in law to bar or preclude the action of the plaintiff And the defendants with the leave of Court withdraw their Joinder and amend their said plea, by inserting the following words, towit, * "And having so entred said close & the stable door of the stable thereon being then and there fastened & locked & it being otherwise impossible to take said two gelding therefrom, the said Sheriff & the said Nave & Givan as his servants broke said door for the purposes aforesaid, doing as little harm as possible to said close & stable & entered therein,, and time is given. And afterwards towit on the Seventeenth day of October in the year Eighteen hundred thirty four at the Court House aforesaid, before the Judges aforesaid, the same being the fifth

Iredicial day of the term of the court aforesaid. At this time come the parties by their Attorneys, and the plaintiff files his replication to the amended plea of the defendants as follows, towit, William McGee vs James L Givan & C C Nave And the said plaintiff by his said Attorneys for replication to the said defendants plea above pleaded say precluded now &c because he says that the said two geldings at the time when &c were the property of the said plaintiff McGee, and not of the said James M Teel, as by the said plea is supposed, and this the said plaintiff is ready to verify Wherefore he pray Judgment &c Mick & Morrison for plff

and the said defendants file their their demurrer to said replication as follows, towit

Hendricks County October Term 1834 Givan & Nave ats William Megee In Trespass

And the said defendants saith that the said replication of the said Plaintiff to the said plea of the said defendants and the matters therein contained in manner and form as the same are above pleaded and set forth are not sufficient, are not sufficient in law for the said Plaintiff to have or maintain his aforesaid action thereof against the said defendants, and that they the said defendants are not bound by law to answer the same, And this the said defendants are ready to verify, Wherefore by reason of the insufficiency of the said replication in this behalf the said defendants pray Judgment, if the said plaintiff ought to have or maintain his aforesaid action thereof against them &c

Fletcher Atty for defts

and the plaintiff files his Joinder thereto as follows, towit, And the said plaintiff say that the said plaintiffs replication and the matters and therein contained, in manner & form &c are sufficient for the plff to have and maintain his said action and that the defendants are bound by law to answer the same &c Mick & Morrison for Plff

And the premises being seen and inspected; It is considered by the court now here that the said replication of the plaintiff is not sufficient in law for the plaintiff to have and maintain his said action thereof against the said defendants; It is therefore considered by the court now here, that the plaintiff take nothing by his said suit, and that the said defendants go hence and recover of the Plaintiff the sum of dollars and cents as, for their costs and charges by them laid out and expended about this their said defence &c And the Plaintiff files his bill of exceptions therein as follows, towit,

William Megee vs James L Givan & Christian C Nave Trespass

Be it remembered that after the fileing of the plea in the above entitled cause the plaintiff files a demurrer to said plea, and thereto the defendant files his Joinder and upon intimation of opinion that said plea is insufficient, the defendants withdraw their Joinder in demurrer aforesaid, and amends his his said plea by inserting therein the following words, towit, "And having so entered said close, and the stable door of the stable thereon situate being then and there fastened and locked, and it being otherwise impossible to take said two geldings therefrom the said sheriff & the said Nave & Givan as his servants broke said door for the purposes aforesaid doing as little harm as possible to said close & stable & entered therein," Wherefore the said plaintiff moved the court to continue this suit until the next term of this court for the case of said amendment, which motion the court overruled, and to such opinion the plff excepts and pray that this his bill of exceptions sealed & made a part of the record which is done accordingly

B. F. Morris Seal

Elijah Anderson Seal

Gideon Willson Seal

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, And Elijah Anderson & Gideon Willson Esquires associate Judges of the Hendricks circuit court within & for the county of Hendricks, at a term of said Hendricks circuit court began and held at the court house in the town of Danville in October in the year of Our Lord One Thousand Eight hundred and thirty four Towit,

William Megee
vs
James Sigerson } Trespas

Be it remembered that heretofore, towit, on the fifth day of September in the year aforesaid the above entitled Plaintiff by his Attorneys filed in the Clerks office of the Hendricks circuit court, the following declaration, towit, State of Indiana Hendricks County, ss. William Megee complains of James Sigerson in custody &c of a plea of Trespas, for that the said James heretofore on the 13 day of August 1834 at said County with force and arms entred the close of the said Megee situate in said County and then and there broke open a door of a certain stable of said Megee in and at said close of the value of three dollars, and two horse creatures, towit, Sorrel gelaings of the value of thirty five dollars each, then and there being in said stable, did then and there with force and arms, take, lead and drive away, and the same hath converted to his own use, and other wrongs then and there did to the said William, in all to his damage five hundred dollars, & therein he sues Morreson & Mick for Plff

And afterwards, towit, on the Sixteenth day of ~~April~~ October in the year aforesaid, at the Court house aforesaid, before the Judges aforesaid, the same being the fourth Judicial day of the term of the court aforesaid, Now come the parties by their Attorneys and the defendant files his demurrer to the declaration of the Plaintiff, as follows, towit, In the Hendricks circuit court October term AD 1834. James Sigerson ats William Megee. Trespas. And the said defendant by Nave his Attorney comes and defends the wrong and injury when &c and says that the said declaration and the matters therein contained in manner and form as the same are above stated and set forth, are not sufficient in law for the plaintiff to have or maintain his aforesaid action thereof against the said defendant, and that he the said defendant is not bound by law to answer the same, and this he is ready to verrify wherefore by reason of the insufficiency of the said declaration in this behalf the said defendant prays Judgment, and that the said plaintiff may be barred from having or maintaining his aforesaid action thereof against him. And the said deft according to the form of the statute in such case made and provided States and shews to the court here the following causes of demurrer to the said declaration For that the said declaration is not entitled of any court; neither doth it appear in and by the said declaration in what court the said action is brought against the said defendant; and also, that the said declaration is not entitled of any term whatever, and also that the said declaration does not allege that the two Sorrel Horses geldings were the property of the plaintiff, and also for that the said declaration does not aver that the Trespas, if any, and conversion was to the damage of the plaintiff C C Nave Atty for Deft

And the plaintiff files his Joinder thereto as follows, towit, And the said William comes and saith that his said declaration and the matters and things therein alledged are in all things good and sufficient in law for him said plaintiff to have and maintain his action and this he is ready to verrify and therefor prays Judgment Mick for plff

And the premises being seen; It is considered by the court that the declaration of the plaintiff is good and sufficient in law for the plaintiff to have and maintain

his action thereon against the defendant. And the defendant with the leave of the court withdraws his demurrer and files his special plea in bar of the Plffs action, as follows towit, State of Indiana Hendricks County October Term AD 1834 James Sigerson ats Wm Megee In Trespass &c And the said defendant by his Attorney comes and defends the the force and injury when &c and says as to the breaking and entering the said close of the said Plaintiff and forcibly breaking the door of the Stable of him said plaintiff of the value of three dollars, and the taking forcibly with force and arms two sorrel Geldings of the value of thirty five dollars each, then and there being in said stable in and upon the close of him the said Plaintiff, did seize and take the said two sorrel Geldings in said declaration mentioned, and converted and disposed of the same to his own proper use above supposed to have been done by the said James Sigerson And the said James Sigerson by leave of the court, herefor this purpose first had and obtained according to the form of the statute in such case made and provided, says that the said Plaintiff ought not to have and maintain his aforesaid action thereof against him the said defendant, because he says that James L Sivan and Christian C Nave and Harvey Gregg, all before the said time &c, towit, in the April term of the Hendricks circuit court 1833 James L Sivan in said court aforesaid at the time aforesaid, before the Judges of the court aforesaid, at the court House in the town of Danville, by the consideration and Judgment of said court, recovered against one James M Teel in an action of Disseizin, the sum of Eight dollars in Damages and also the sum of twenty four dollars and fifty four cents as and for his costs and charges &c, which in and by the said court, were then and there adjudged to the said James L Sivan for his damages, which he had sustained by the unlawful detention of the premises, and for his costs and charges by him in said suit, in that behalf expended, whereof the said James M Teel was convicted as by the record and proceedings thereof remaining in the Hendricks circuit court aforesaid more fully appears, which Judgment still remains in full force and effect, not reversed, satisfied or vacated, And that the said James L Sivan before the said time when &c, towit, in the April Term 1832 of the Hendricks circuit court, at the court House in the town of Danville, before the Judges of said court aforesaid, by the consideration and Judgment of said court, recovered against one James M Teel, in an action of Domestic Attachment the sum of two Hundred and twenty seven dollars sixty two & one half cents, and costs of suit, which in and by the said court were then and there adjudged to the said James L Sivan for his damages which he had sustained by the said James M Teel &c And also that Christian C Nave and Harvey Gregg before that time &c towit, in the April Term 1833 of said Hendricks circuit Court recovered before the Judges of said court, a Judgment for one cent damages and nine dollars and thirty Eight ~~cents~~ at 6 1/4 cents Costs in an action of Deseizin And the said James Sigerson further says that afterwards, towit, &c the said James L Sivan and Christian C Nave in order to obtain satisfaction upon the Judgments aforesaid sued and prosecuted out of the Hendricks circuit court their several writs of Fire Facias executions directed to the defendants as Sheriff of Hendricks county two of which said Fire Facias executions were issued by the Clerk of said court on the 7th day of July 1834 and the other Fire Facias execution was issued by the Clerk of said court on the 10th day of July 1834 commanding this defendant as Sheriff of Hendricks county, that of the goods and chattels Lands and tenements of the said James M Teel, the execution defendant that he as Sheriff aforesaid levy the said monies &c, two of which Fire Facias

Executions, towit, one in favour of James L Givan, and the other in favour of Christian
C Nave and Harvey Gregg, came to the hands of this defendant as Sheriff of said County
to be levied on the 7th day July 1834 and the other one in favour of James L Givan
came to the hands of this defendant as sheriff of said County, to be levied on the 10th
day of July 1834. And the said James Sigirson Sheriff as aforesaid further says, that
before and at the time when &c divers goods and chattels of the said James McTeel, towit,
two Sorrel Geldings liable to be taken in execution, by the said James Sigirson sheriff
as aforesaid, under and by virtue of the said several writs of Fire Facias Executions
were in the Stable in and upon the close in the declaration mentioned, and that thereupon under and
by virtue of the said several writs of Fire Facias Executions the said defendants Sheriff
as aforesaid by and in pursuance of the command of said writs of Fire Facias
executions at the said time when &c peaceably and quietly entered into the said Messuage
or Stable, in and upon the said close Messuage or close in order to seize and take
in Execution said two geldings * did then and there seize and take in execution the
said two Sorrel geldings the goods and chattels of the said James McTeel in the intro
=ductory part of this plea mentioned, the same then and there being in the Stable afo
=resaid, for the purpose of levying the monies so directed to be levied by the said executions
and did then and there on the 13th day of August 1834 levy the said several writs of execution
on two sorrel geldings as commanded by said several writs of execution And in
so doing the said James Sigirson Sheriff as aforesaid, did then and there necessarily
and unavoidably make a little noise and disturbance in the said Stable in and
upon the said close as he lawfully might for the causes aforesaid, doing no unnecessary
damage to said plaintiff on that occasion; which are the said several supposed
precedences and Trespasses in the introductory part of this plea mentioned and
whereof the said Plaintiff hath above thereof Complained against the said defendant
James Sigirson Sheriff as aforesaid, and this the said defendant is ready to verify
Wherefore he prays Judgment if the said Plaintiff ought to have and maintain
his aforesaid action thereof against him &c Fletcher & Nave Attys for deft
to which the plaintiff files his demurrer, as follows towit, William Mizer vs James Sigirson
And the said plaintiff comes and for answer to the plea of the defendant, saith that the
same and the matters and things therein contained, in manner and form as the same
are therein alleged are insufficient in Law to bar the plaintiff of his said action, and this
he is ready to verrify and therefore prays Judgment. And for special Cause of demurrer
to said plea, the plaintiff sets down and shews the following. Said plea does not Justify,
own or deny the breaking of the Stable door in the declaration mentioned Nick for Plff
And the defendant files his Joinder thereto, as follows Mizer vs Sigirson And the said
defendant comes and says that the said plea above pleaded, and the matters and
things therein stated as set forth, are Sufficient in law for the said defendant to bar and preclude
the said plaintiff from having and maintaining his action aforesaid thereof against
him and this he is ready to verrify wherefore he prays Judgment &c Nave & Fletcher for Deft
And the premises being Seen; It is Considered that the plea of the defendant is not
sufficient in Law to bar and preclude the action of the plaintiff; and the defendant
with the leave of the Court withdraws his Joinder and amends his said plea, by inserting
the following words towit, * "And having so entered thereon, and the door of said
Stable thereon Situate. being locked and closed, and it being otherwise impossible to
enter said Stable, the said Sheriff and the said Nave & Givan as his servants by his
command broke open said Stable door for the purpose aforesaid, doing as little harm
as possible to said Stable & Close" And time is given And afterwards towit, on
the Seventeenth day of October in the year Eighteen Hundred and thirty four, at the

Court House aforesaid, in the town aforesaid, before the Judges aforesaid, the same being the fifth Judicial day of the term of the Court aforesaid Now come the parties by their Attorneys, and the plaintiff files his replication to the amended plea of the defendant, and the ~~said~~ defendant ~~files his demurrer to the said replication~~ as follows (towit, William Mege vs James Ligerson And the said Plaintiff by his said Attorneys for replication to said defendants plea above pleaded says precludi non &c because he says that the said two geldings at the time when &c were the property of said plaintiff, and not of the said James M Tee, as by the said plea is supposed, and this the said plaintiff is ready to verrify wherefore he pray Judgment &c

Nicks & Morrison Attys for Plff

And the said defendant files his demurrer to the said replication as follows Towit State of Indiana Hendricks county Oct Term 1834 James Ligerson ats William Mege. In Trespas. And the said defendant saith that the said Replication of the said Plaintiff to the said plea of the defendant and the matters therein contained in manner and form as the same are above pleaded and set forth are not sufficient in law for the said plaintiff to have and maintain his aforesaid action thereof against the said defendant, and that the said defendant is not bound by law to answer the same, And this the said defendant is ready to verrify wherefore by reason of the insufficiency of the said replication in this behalf, the said defendant pray Judgment if the said plaintiff ought to have and maintain his aforesaid action thereof against him &c

Fletcher & Nave Attys for Deft

And the said plaintiff files his Joinder thereto as follows, towit, And the said plaintiff saith that the said said replication, and the matters therein contained are sufficient in law for the plaintiff to have and maintain his action aforesaid and that the defendant is bound by law to answer the same &c

Morrison & Wick for plff

And the premises being seen and inspected It is considered by the court that the said replication is insufficient in law for the said plaintiff to have and maintain his action aforesaid against the said defendant; It is therefore considered by the court now here, that the said plaintiff take nothing by his said suit, and that the said defendant go hence and recover of the plaintiff the sum of Fourteen dollars and fifty five & half cents as and for his costs and charges by him about his defence in this behalf expended And the plaintiff feins his bill of exceptions therein as follows, towit, William Mege vs James Ligerson Trespas Be it remembered that after the defendant filed his plea in said cause the plaintiff filed thereto his demurrer, and the defendant his Joinder thereto, and upon intimation of opinion by the Court that said plea was insufficient the defendant amended his said plea writing therein these words, towit, "and take in Execution said two geldings, and having so entered thereon, and the door of the said stable thereon situate being locked and closed, and it being otherwise impossible to enter said stable, the said Sheriff and the said Nave and Sivan as their servants and by his command, broke and opened said said stable door for the purposes aforesaid, doing as little harm as possible to said close and stable,, Whereupon the plaintiff moved the Court for the Cause of said amendment to continue this suit until the next term of this Court which motion the court overruled and to that opinion overruling such motion the plaintiff excepts, and pray that this his bill of exceptions be sealed and made apart of the record which is done accordingly

B. F. Morris (Seal)

Elijah Anderson (Seal)

Gideon Willson (Seal)

Pleas before the Honorable Bethuel F. Morris President Judg of the fifth Judicial circuit of the State of Indiana, And Elijah Anderson & Gideon Willson Esquires, Associate Judgs of the Hendricks circuit Court, within and for the County of Hendricks, at a Term of the Hendricks Circuit Court began and held at the Court house in the town of Danville in October in the year of Our Lord One Thousand Eight Hundred and thirty four to wit,

The State of Indiana
vs
Samuel Talby

Indictment for Petit Larceny No 2

Be it remembered that heretofore, to wit, at the term of the Hendricks circuit court aforesaid, began and held as aforesaid, before the Judges aforesaid by the oath of James J Hadley Forman, and his fellows William Merritt, William Trotter, Hezekiah McClintick, William Hamilton, Jonathan Williams, Jesse Canada, John Cash Ezekiel Hornady, Stephen Cook, Robert Walker, Wesley Morgan, William Gilmer, Frederick Whicker, Andrew Clifton and George Hartman Grand Jurors for the State of Indiana empannelled Sworn and charged to enquire within and for the body of the County of Hendricks upon their oath present as follows, to wit, State of Indiana Hendricks County ss Hendricks Circuit court at the October Term thereof in the year Eighteen hundred and thirty four

The Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that Samuel Talby late of said county yeoman, on the fourteenth day of October in the year Eighteen hundred and thirty four, with force and arms at said county One pair of Sleeves of the value of thirty Seven cents, of the personal goods of one Milburn L Matlock and others then and there being found, did then and there feloniously steal, take and carry away, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana Wm Herod Prosc.

And afterwards, to wit, on the fifteenth day of October in the year aforesaid, at the term of the court aforesaid, before the Judges aforesaid, the forgoing bill of Indictment was returned with the following endorsement thereon "A True Bill. James J. Hadley forman of the Grand Jury" And afterwards, to wit, on the sixteenth day of October in the year aforesaid, the same being the fourth Judicial day of the term of the court aforesaid, before the Judges thereof aforesaid. Came now Herod who prosecutes the pleas, and the defendant personally comes also, and being arraigned upon the said Indictment, saith he is not guilty as charged, and for trial thereof puts himself upon the country and the Attorney for the State doth the like. Wherefore let a Jury come, and the Sheriff as commanded brings here into court the Jurors of the Jury, to wit, Ireadell Jackson, Daniel B Tyre, Wakefield Trotter, James W Shannon, Walter Hunt, Enoch Crook Alexander McVay, Aaron Ragan, Lewis J Pounds, Daniel C Tutts, Thompson Farmer and Wiatt Jones twelve good and discreet Householders of the county who being elected tried and sworn a true verdict to give upon the issue aforesaid, say we of the Jury find the defendant Guilty as charged, and that it is the second offence of Petit Larceny we assess his fine at one cent, and say that he be imprisoned at hard labour in the State prison two years, and that he be disfranchised ten years

It is therefore considered by the court now here, that the said defendant do make his fine to the State of Indiana in the sum of one cent, and that he be imprisoned in the State prison at hard Labour for the space of two years, and that he pay the costs of this prosecution and that he remain in custody &c

Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana and Elijah Anderson and Gideon Willson Esquires Associate Judges of the Hendricks circuit Court, within and for Hendricks county, at a term of said circuit court began and held at the Court house in the town of Danville on Monday the thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four (Towit,

Sneed, Anderson & Co
vs
Pemberton S Dicken } Assumsit

Be it remembered that heretofore (towit, on the sixteenth day of October in the year aforesaid, at the Court house aforesaid, before the Judges aforesaid, the same being the fourth Judicial day of the term of the court aforesaid, Now at this time comes the plaintiffs by Fletcher their Attorney and file their Declaration in this behalf as follows, towit, Hendricks circuit Court October Term 1834 Sneed, Anderson & Co plaintiffs Complain of Pemberton S Dicken defendant of a plea of Trespass on the case upon promises. For that whereas the said deft heretofore (towit, on the 8th day of May 1832 at Louisville towit, at the county of Hendricks aforesaid, made his certain promesary note in writing, whereby the said defendant, four months after date promised to pay to the order of Sneed, Anderson & Co for value received Nine hundred & fifty dollars & eighty cents & then and there delivered the said note to the plffs whereby the said defendant became liable to pay the said plffs the said amount of said promesary note according to the term & effect thereof & in consideration thereof afterwards, (towit) on the day & year aforesaid, the said defendant promised & then & there undertook and faithfully promised to pay to the said plffs the amount of said promesary note, yet the said defendant not regarding his said promises and undertakings although often requested, hath not paid the plaintiff the said sum of money in the said promesary note or any part thereof to the said plaintiffs but to pay the same hath hitherto wholly neglected & refused, and still doth neglect and refuse to the damage of the said plffs $1200, wherefore they sue

Sneed & Anderson

And the said Fletcher now files a Letter of Attorey in the words and figures following, towit, Know all men by these presents that I Pemberton S Dicken of the county of Hendricks and state of Indiana, do hereby authorise, constitute and appoint C Fletcher my true & lawful Attorney, for me and in my name in an action of Assumsit to confess a Judgment against me in favour of Sneed Anderson & Co in the Hendricks circuit court at the October term thereof 1834 on the first or any subsequent day thereof for the sum of three hundred & sixty seven dollars and Eleven cents the balance due on a certain note, a true copy reads as follows "Dollars 950, 80/100 Louisville May 8th 1832 Four months after date I promise to pay to the order of Sneed Anderson & Co for value received Nine hundred and fifty dollars & Eighty cents

P S Dicken

And I hereby release all error for want of a writ or declaration, and hereby ratifying & confirming whatsoever my said Attorney may lawfully do in the premises In Testimony whereof I have hereunto my hand & seal, this 11th day of October 1834

P. S. Dicken (seal)

And the said Calvin Fletcher comes and waiving all errors for the

want of a writ in this behalf, or the filing of the declaration ten days before the first day of the term, say that he cannot gainsay or deny but that the said Rumberton S. Dicken is justly indebted to the said Plaintiffs in the said sum of Three hundred and Sixty Seven dollars and Eleven cents; It is therefore considered by the court now here, that the said Plaintiffs recover of the said defendants the said sum of Three hundred and Sixty Seven dollars and Eleven cents, and also the sum of Four dollars and One & 3/4 cents for their costs and charges in this behalf laid out and expended And the defendant in mercy &c

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Willson Esquirs Associate Judges of the Hendricks circuit court within and for the county of Hendricks, at a term of said circuit court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four (Towit)

Sally Maria Hutts
vs
Nathaniel W Hutts & Silas Hutts } In Chancery

Be it remembered that heretofore (towit) on the Sixteenth day of August in the year of our Lord One Thousand Eight Hundred and thirty two the above entitled Complainant by Fletcher her Solicitor filed in the clerks office of the Hendricks circuit the following bill of complaint, (Towit,

State of Indiana Hendricks circuit court October T 1832 To the Honorable the Judges of the Hendricks circuit court in Chancery setting. Your Oratrix Sally Maria Hutts, an infant under age by Bethuel Dunning her guardian at law and next friend who by this Honorable Court is accepted and recognized as such, would represent and state that her father Uriah Hutts now deceased, on the 8th day of August 1832 made and executed his last will & Testament by which he devised among other things to your Oratrix fifty Acres of land adjoining the lands of Nathaniel W Hutts, on the West side thereof, to her and her heirs and assigns forever after her mothers decease, and the father of your Oratrix gave and devised by said will to his wife Abigail Hutts, the mother of your Oratrix, the use of all the remainder of his land whereon he then lived, and the fifty Acres before devised to your Oratrix to enable the said said Abigail to bring up the infant children, meaning your Oratrix and the grand Son of the Testator, Silas Hutts the son of the said Nathaniel W Hutts, and at the death of the said Abigail the Mother of your Oratrix the said land on which the testator lived as above described & the same was to vest in, go and descend to the said Silas the grand son of the said testator to him and his heirs and assigns forever, Reserving to your Oratrix out of said land a home and support for your oratrix so long as she remained unmarried, your oratrix would further state that the testator died on the day of January 1835 in possession of the said premises so devised to the use of said Abigail his wife, which consisted of his then home farm with good and comfortable buildings thereon, Orchards, gardens & containing

about one hundred and thirty Acres. And the said devise & bequest in said will at the death of the said Testator remained unrevoked & unaltered and was on day of 1825 duly proved and letters thereon granted by the Hendricks Probate Court in the State of Indiana, wherein the said land above described was and is situate, to the Mother of your Oratrix and said Nathaniel W Hutts. Who were by said will constituted and appointed executors thereof. Your Oratrix would further state that she after the death of her said father continued to live with her mother as directed by said will until December 1829 when her mother Abigail Hutts also died, and the said use of said land, as well as the land itself became and was actually vested in said Silas Hutts by virtue of said will, and that the said Silas by his father and natural guardian Nathaniel W Hutts took possession of said land upon the decease of said Abigail, and has since had the possession and enjoyed the use of the same, subject however to a home and support to your Oratrix. Your Oratrix would further state that she never has been married and is now sole. that at the time the said Silas Hutts took possession of said land so devised by the father of your Oratrix it being part Sec. No in Town. N. Range West in the county aforesaid, tho the said Nathaniel W was entirely insolvent - was in a low state of helth, and destitute of every comfort necessary to the support of your Oratrix, she then being about 16 years of age - She demanded a support of the said Nathaniel W, and a home at the place of her mothers residence on the land so devised by her father. But the said Nathaniel W Hutts as the guardian of the said Silas refused to permit her to have a home and also refused to support her as required by said will — that since the the death of her mother a part of the time she has been in very bad health and unable to labour for her living — that she has been dependant on the charity of her relations and her own exertions — That she has been forced to lay out and expend for meat, drink & wearing apparel since the death of the said mother about two hundred dollars — That the said Nathaniel W guardian of the said Silas and who is apt entirely and notoriously insolvent has refused to supply said meat, drink, board and wearing apparel to your oratrix — That her estate is now liable for the same. She therefore prays that a copy of said will may be made and taken as a part of this bill which is marked A and herewith filed Which said will is in the words and figures following, to wit, In the name of God Amen I Uriah Hutts near the county of Marion and State of Indiana, Yeoman, do make and publish this my last will and testament in the form and manner following Item 1st I do give to my son Daniel C Hutts one hundred Acres of land, on the West part of section twenty nine, and to run so far East, on the section line, as to contain one hundred Acres, without interfearing with the land that might be drowned or flooded by water with running a dam twelve feet height at the place called the Mill seat Item 2d I do give to my two daughters Charity & Abigail One hundred Acres on the East part Section twenty Eight adjoining the land of James L Givan, to them their Heirs and assigns forever And if either of them should die before they become of age, the surviving one shall have the others half Item 3d I do give to my son Nathaniel W, one hundred Acrs of land adjoining the lands of Charity and Abigail, and the lines to be run parallel

with the North and South lines to the sections, to him, his heirs and assigns forever
* Item 5th I give to my son Uriah N, the monies left in the hands of Nathan Hults to collect
for me, and he to be at the trouble of going after it, also the surveying instruments with
book that belongs to the same, and a book for the learning of book keeping, and a Rifle
gun that is called his, the money before mentioned is about two hundred dollars, be
the same more or less * Item 4th I do give to my two daughters Annar and Jeresha
One dollar each to be paid to them when called for Item 6th I do give to Sally Maria
fifty Acres of land adjoining Nathaniel W on the West side, to her and her heirs
and assigns forever after her mothers decease Item 7th I do give to my kind and
loving wife Abigail the use of all the remainder of my land whereon I now live
and Sally Maria's land to enable her to bring up the infant Children, and
my Grand son Silas, the son of Nathaniel W which is to live with her in a praise
worthy manner, and to give him a decent education, fit for doing business as
far as her situation will admit; also all my personal property of every discr=
=iption, for the abode use and her support, excepting what is given to my son Uriah
N, at her decease my Grand son Silas Nathaniel W son shall have the rem=
=ainder of my land which I do give to him and his heirs and assigns forever
reserving a home and support for Sally Maria so long as she may shall
live unmarried, and in case my wife should die before the above infant children
should come of age or marry, they shall be brought up as above directed, and
the personal property shall be at her disposal at her decease what shall remain
over and above bringing up the said Children, and if Charity or Abigail or
Sally Maria should die before they should come of age or have a lawful heir
their land shall be divided between the surviving two; And if my grand son
Silas should die without a lawful heir, his land shall be equally divided
between his father Children Nathaniel W and Charity and Sally Maria and
Abigail, or the surviving ones of them, and in case one of the girls should
marry, my executors or their mother May give them twenty five dollars
in furniture if they think best so to do Item 8th lastly I do ordain and
appoint, and constitute my wife Abigail, my son Nathaniel W and Jeremiah
Corbley executors to this my last will and testament, and I do hereby
revoke all other wills, and acknowledge this only to stand in force or virtue
Signed, sealed and delivered in the presence of, this twenty eighth day of
August in the year of our Lord Christ, One Thousand Eight hundred
and twenty two Uriah Hults (Seal)
Moses Cook, Jeremiah Collins, M Crumbaugh

She also prays your Honors to make the said Nathaniel W Hults defendant
to this bill, and also the said Silas who is an infant, defendant by a proper guardian
and that they may be compelled to answer the charges and allegations herein under
oath; that your honors may make the said land so devised to the said Silas which
is now in possession of his said father, subject to the payment of the said two hun=
=dred dollars, also subject to your oratrix's future support so long as she remains
sole and unmarried; also make the said Nathaniel W & Silas disclose the yearly
of the rents and profits of said premises — grant the States writ of Subpoena and
such other further relief in the premises as may be equitable agreable equity
and good conscience, and your Oratrix as in duty bound will ever pray &c
Fletcher for complainant

And afterwards, Court, on the Seventh day of October in the year of our Lord
One Thousand Eight Hundred and thirty two, at the court house in the town of

Danville, the same being the second Judicial day of the October term of the court aforesaid before the Honorable Bethuel F Morris and President Judge as aforesaid and Elijah Anderson & Thomas Lockhart Esquires Associate Judges of said Circuit Court And now comes the complainant by her solicitor and the process therein not being Executed, this cause is continued for further process

And afterwards, towit, on the fifteenth day of April in the year of our Lord one Thousand Eight hundred and thirty three, at a term of the Hendricks cir= =cuit court began and held at the Court House aforesaid, on the day and year last aforesaid, the same being the first Judicial day of said term, before the Honorable the Judges last aforesaid, Comes now the complainant by Fletcher her Solicitor, and the defendants by Wick their solicitor comes also, and on motion Nathaniel W Tutts is appointed guardian ad litem for the said Silas Tutts, and by his Attorney consents to act as such; and the said defendants are ruled to answer the the said complainants said bill on or before the first day of the next term, or the same will be taken as confessed and this cause is continued. And afterwards towit on the fifteenth day of October in the year of our Lord one Thousand Eight hundred and thirty three, at the Court House in the town of Danville as aforesaid, the same being the second Judicial day of the October term of the court aforesaid, before the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson & Thomas Lockhart Esquires, Associate Judges as aforesaid And now come the parties by their Solicitors, and the defendants file their answers to the bill of the complainant as follows, towit, The answer of Nathaniel W Tutts for himself as guardian, father and next friend for Silas Tutts admi= =itted and recognized by the court as such, to the bill in chancery exhibited in the circuit court of the county of Hendricks in the State of Indiana, against the said Nathaniel & Silas Tutts, by Sally Maria Tutts by her guardian Bethuel Dunning. These respondants admit the death of their ancestor Uriah Tutts as is in said Bill alledged, and the making and probate of his will set forth and exhibited in said bill and marked (A) but submit to this Honorable court, that the legal effect thereof, is not such as is by said bill in the introductory part alledged and set forth They also admit the death of the said Abigail Tutts as is in said bill alleged. But it is not true that said complainant continued to live with her said mother as directed by said will untill the time of her said mother's decease, but on the contrary about the middle of April 1837 the said complainant abandoned her mother and lived at a place other than that directed by said will (towit, at the house of and on the premises of one Daniel C Tutts, brother of the complainant and of the respondant Nathaniel, and continued to live with the said Daniel C Tutts untill her said mothers death. After the death of the said Abigail Tutts, and ever since these admit that the said Nathaniel has used and occupied and enjoyed the land named in said bill as belonging to this respondant Silas, It is admitted that the complainant hath never been married. It is true that at the time this respondant Nathaniel took possession of said land of this respondant Silas, he said respondant Nathaniel was not verry wealthy, but it is not true that he was insolvent destitute of the means of affording the complainant a home and a support at the place of her mothers then late residence, and on the land of the respondant

Silas, nor is trueo that the respondent Nathaniel ever refused as is in said bill alleged to permit said complainant to have such home as is in said bill allegded on the lands named in the bill belonging to the respondant Silas, and occupied by the respondant Nathaniel, nor did said respondant Nathaniel refuse to support the complainant in a reasonable manner according to the said Will, nor was such home and support ever demanded of the respondant Nathaniel by said complainant— On the contrary said Respondent Nathaniel hath ever been and is yet ready and willing to furnish the complainant a home and support on the place designated by said Will and according thereto, and although it is true that the complainant never has lived with said respondant Nathaniel, it has been so of her own choosing, as She has ever been welcome to avail herself of such home and support, and is still so welcome. These respondants do not believe that the complainant since her Mothers death has been in bad health and unable to labour for her living for more than a few weeks, nor do they belive she has been dependant on the charity of any relations, as they believe She has well earned all she has ever received from them, nor do they believe that she has been found to lay out or expend for meat, drink and wearing apparel any sum beyond the value of her services to those who furnished the same, or that her estate is liable for any such demands, for meat. drink or wearing apparel as is in said bill alledged, nor is it true that said respondant Nathaniel has ever refused to furnish such meat, drink and wearing apparel according to the true intent and meaning of said will. At the time this respondant Nathaniel took possesion of said land of the respondent Silas there was in cultivation about 20 Acres of land, the rest being wood land, and in the spring of the year 1829 reduced to cultivation nine Acres more, the yearly value of which deducting expences of reparing fences and other repairs, has been worth about one dollar and fifty per Acre of cleared land. It was worth about Sixty dollars to reduce said nine acres to cultivation The yearly value of the buildings on the premises is worth a sum nearly nominal in the opinion of the respondants. These respondants pray to be discharged herein with their reasonable costs most unjustly and vexatiously sustained in the premises Nathaniel W Hellts for himself & Silas Hellts

Wick Solicitor

The foregoing answer of the the respondant Nathaniel W Hellts for himself and as guardian for Silas Hellts was on the fifteenth day of May 1833 duly sworn to by the respondant Nathaniel W Hellts, before William Faught a Justice of the peace within and for the county of Hendricks. And time is given

And afterwords, towit, on the Sixteenth day of October in the year of Our Lord One Thousand Eight hundred and thirty three at Court house in the town aforesaid before the Judges, aforesaid, the same being the third Judicial day of the term of the Court last aforesaid, Now Comes the parties by their Solicitor and the complainant files her replication to the answer of the respondant as follows towit, Sally Maria Hellts vs Nathaniel W Hellts and Silas Hellts And the said Sally Maria Hellts by Fletcher & Nave her Solicitors comes and say that for any thing alleged in the said answer of the said defendants her said bill and the matters & things therein alleged are true and sufficient as there alledged, and this she is ready to verify and prove as this Honorable Court may direct & Nave & Fletcher and the parties have leave to take Depositions in this cause to be read at the next term, and this cause is continued And afterwords, towit, on the fourteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty four at Court House aforesaid in the same being the first Judicial day of the April term of the Hendricks Circuit court in said year, before the honorable Bethuel

F Morris President Judge of the fifth Judicial circuit as aforesaid, and Thomas Lockhart Esquire one of the associate Judges as aforesaid. At this time comes the parties by their Solesitors, and the complainant fills and publishes the depositions by her taken in the premises. And time is given And afterwards, towit, on the Sixteenth day of April in the year last aforesaid, the same being the third Judicial day of the term of Court last aforesaid, before the Judys last aforesaid, And now at this time comes the complainant as well as the said defendants by their Counsel, and the said bill, answer, exhibits and depositions being examined seperate and inspected by the Court, and it appearing that the rents and profits of the said premises described in said bill and answer are of the yearly value of thirty dollars, which the said defendants have enjoyed since the Seventh day of July Eighteen hundred and twenty nine, to the date of this decree, four years, two months and seven days. and subsequent to the death of the said Abigail Hutts deceased, making the sum of One hundred and twenty five dollars. And since which time the said premises should have been Chargeable with the support of the said complainant to said amount of One hundred and twenty five; And it further appearing that the said premises are also Chargeable with support of the said Sally Maria the Complainant to the full extent of the present yearly value so long as she remains sole and unmarried It is therefore ordered adjudged and decreed that the said compl-ainant and enjoy the said rents and profits of said premises so long as she remains unmarried for her support as contemplated by said will, and unless the said defen-dants pay the said sum of One hundred and twenty five dollars above estimated which is hereby decreed to her to her, the said rents and profits of said premises are to be made liable for the same and the interest thereon after said complainant have married; And it is further decreed that unless the said defendants Silas Secure to the said Complainant the punctual payment of said One hundred and twenty five dollars in Six months as well as the yearly rents and profits of said premises by bond and approved Security to be taken by the clerk of this court within twenty days therefrom, the said Complainant is Ordered authorised to take possion of said premises, and enjoy the same until the before mentioned requisitions are be complied with. And the said defendants, agents and Attorneys and lepees be enjoined from interrupting the said Complainant in the peaceable enjoyment of said premises. And this cause is continued And afterwards, towit, on the Sixteenth day of October in the year of our Lord Eighteen hundred and thirty four at Court house aforesaid, the same being the fifth Judicial day of the October term of the Court aforesaid in said year, before the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson & Gideon Willson Associate Judges of the said Court. Now at this time came the parties, and the complainant by leave of the court, amends the interlocutory decree herein made at last term by adding the following 1st and it appearing to the court that such yearly rent value of said premises is not sufficient to afford the complainant the support contemplated by said last will and testament 2d And complainant to retain said premises after said marriage until the rents & profits thereof shall pay and discharge the said Sum of One hundred and twenty five dollars if not otherwisk satisfied And it now here further appearing to the court that the said sum of One hundred and twenty five dollars, described as aforesaid at last term has not been paid or satisfied by the said defendants, And in order that the said complainant may have possion of said premises; It is Ordered, adjudged and decreed that the said complainant have her writ of habere facias or other writ of

possession of said premises; It is also Ordered, adjudged and decreed that the said Complainant recover of the said defendants the sum of fifteen dollars and forty six 3/4 cents for her costs and charges in this behalf expended. And also that the complainant have execution therefor against the goods and chattels, lands and tenements of the said defendants

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Pleas before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Willson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the county of Hendricks, at the October term of said Circuit Court began and held at the Court House in the town of Danville, in the year of our Lord One Thousand Eight Hundred and thirty four, Towit,

William Gregory for the use of William L Matlock vs Gideon Hufford } Appeal

Be it remembered that heretofore, towit, on the twenty first day of June in the year of our Lord One Thousand Eight hundred and thirty four Job Osborn a Justice of the peace within and for the county of Hendricks filed in the clerks office of Hendricks circuit court the following Transcript, Scirefacias & plea of defence in the above entitled cause (towit) First the Transcript as follows (towit,

William Gregory for the use of William L Matlock vs Gideon Hufford, Failure to pay over monty collected in his official capacity Demand $12,00 Scirefacias ijssued to James Dugan constable June the 2d 1834 for said defendant, returnable June 7th 1834 at 10 Oclock which said Scirefacias is in the words and figures following towit, State of Indiana Hendricks county sct, To James Dugan Constable of Centre Township Greeting. Whereas on the 27th day of January AD 1834 William Gregory obtained Judgment before Job Osborn a Justice of the peace of the Township of Centree, County of Hendricks and State of Indiana against one Buford Webb, for the sum twelve dollars debt with interest and costs of Suit, as will more fully appear by a refferance to said Judgment now remaining in the office of the Justice aforesaid. And whereas and Execution was ijssued by Job Osborn a Justice of the peace as aforesaid, upon and by virtue of the Judgment aforesaid according to law To End Gideon Hufford constable of Centre Township, on the 29th day of March AD 1834 made returnable on the 29th day of April 1834 And whereas the said Gideon Hufford Constable as aforesaid did return the execution so ijssued as aforesaid into the office from whence it ijssued on the 1st day of April AD 1834 in the words and figures following, towit, "Execution returned April 1st 1834 satisfied except the Justices costs, the money made use of an an Execution ijssued from the docket of Noah Harding a Justice of the peace, against Smith & Gregory in favour of Smith Wilkens & Co Gideon Hufford constable" And whereas the said William Gregory the Judgment creditor died on the 6th day of February AD 1834

Justices fees	
Entry	12½
Scirefacias	25
Subpoena	25
Subpoena	25
Venire	12½
Swearing Jury	25
Swr 5 Witnesses	31¼
Subpoena	25
Judgment	12½
Appeal bond	25
Writ	12½
Transcript	25
Constables fees	
S Scirefacias	25
return	5
Subpoena	25
return	5
Summon Jury	25
return Venire	5
S Subpoena	12½
return	5
attending Jury	12½
Witness fees	$1,50
Witness fees	$1,25

under his hand and seal transfer set over and assign the said Judgment so obtained as aforesaid by the said William Gregory against the said Buford Webb for twelve dollars and interest to one William L Mattock and all the right and interest which he the said William Gregory had thereto which will more fully appear by a refference to said assignment of the said Judgment aforesaid And whereas the said Gideon Nufford Constable has failed and refused to pay over the $12,00 and interest and thereon to William L Mattock assignee of William Gregory as he was bound to do according to the statute in such case made and provided, although often requested, and has also failed and refused to pay over the $12,00 and interest upon the Judgment aforesaid, so by him collected by virtue of his office, to Job Osborn a Justice as aforesaid according to the Statute in such case made and provided although often requested so to do by the Justice aforesaid You are therefore hereby commanded that you Summon said Gideon Nufford, Constable of Centre Township, County of Hendricks and State aforesaid to be and appear before me Job Osborn a Justice of the peace of Centre Township at my office in the town of Danville at 1 oclock P M on the 7th day of June A.D, 1834 To shew cause why William Gregory for the use of William L Mattock ought not to have Judgment and execution against him for the said sum of twelve dollars with the ten percentum thereon with interest and costs of suit Given under my hand and seal this 2d day of June AD 1834 Job Osborn J Peace (Seal)

Subpoena issued to James Dugan Constable June 3d 1834 for Charles B Naylor & William Haught in behalf of the plaintiff returnable on the 7th 1834 at 1 oclock

Scirefacias returned June the 7th 1835 Served the 3d day of June as within commanded. James Dugan constable. the defendant files his plea June the 7th 1834 as follows, to wit, William Gregory for the use of William L Mattock vs Gideon Nufford Before Job Osborn a Justice of the peace of the Township of Centre and county of Hendricks and ~~State~~ this 7th day of June in AD 1834 On Scirefacias And the said Gideon Nufford Constable by his Attorney comes and defends the wrong and injury when &c and says actio non because he says that he has not failed nor refused at any time to pay over to the proper person or Justice of the peace legally authorised to receive the same all the sum or sums of money by him the said defendant Collected and in his hands by virtue of his said office as Constable of the Township and county aforesaid in manner and form as the said Plaintiffs have above thereof in their said Scirefacias alledged, and this he is ready to verify by the record Wherefore he prays Judgment of the said Justice whether the said Plaintiffs ought to have Judgment and Execution against him by reason of the said Scirefacias &c&c And for other and further cause now here to the said Justice shown, the said defendant says true it was, that an execution from under the hand and seal of the aforesaid Justice of the peace, came to the hands of the said defendant as constable &c in favour of the said William L Mattock & Gregory and against the said Buford Webb, by virtue of which said execution the said defendant by virtue of his said office as constable aforesaid did collect the sum of twelve dollars and 12 cents of and from the said Buford Webb the

Execution defendant, and that before and at the time, of the collection and receipt of the aforesaid sum of money on the said Execution in favour of the said William Gregory, and against the said Burford Webb, the said defendant by virtue of his said office as constable aforesaid, had also an Execution against the goods and chattels of one John Smith and the said William Gregory for the sum of 65 dollars and 7 cents debt, and 48 cents damages, together with costs of suit in favour of a certain Company trading under the name firm and description of Smith Wilkins & Co and which Execution was ispued from under the hand and seal of one Noah Harding a Justice of the peace of the Township & county aforesaid, in which said last mentioned Execution, it was commanded the said defendant by virtue of his said office as constable aforesaid, that of the goods and chattels of the said John Smith and William Gregory, he cause to be made the last aforesaid sum of $65, 7 cents debt 48 cents damages for the detention thereof, together with costs of suit, and to have those monies before the last aforesaid Justice on or before the proper return day to render unto the proper person or persons or Justice as the case might be, legally authorized to receive the same, And the said defendant avers, that at the time of the receipt of the first aforesaid sum of 12 dollars and 12 cents in favour of the said William Gregory, that the last aforesaid Execution against the said John Smith and William Gregory Jointly, was in full force and effect against them and unsatisfied, and which said last mentioned Execution was returned to the office of the said Noah Harding from whence it ispued on the 1st day of April 1834 and by his the said Justice's order with the said sum of 12 dollars and 12 cents endorsed thereon and carried to the credit of the said John Smith and William Gregory in part satisfaction of the last before mentioned Execution then in the hands of the said defendant by virtue of his said office as constable aforesaid, as will more fully appear by a reference to the said Execution with the return thereon now here shewn to the Justice, and the defendant avers that the said sum of 12 dollars and 12 cents so returned and carried to the credit of the said John Smith and William Gregory the same sum of 12 dollars and 12 cents collected by the said defendant by virtue of his said office as constable aforesaid, of the said Burford Webb in favour of the said William Gregory as will also more fully appear by a reference to the first mentioned Execution and the return thereon now remaining in this office and to the first aforesaid Justice now here shewn. Wherefore the said defendant prays Judgment of the Justice whether the said Plaintiff shall have Judgment and Execution against him by reason of the said premises &c &c &c Gideon Hufford

Subpoena returned June the 7th 1834 Served by reading Subpoena ispued to James Dugan Constable June the 7th 1834 for William M Matlock and Thomas Nichols in behalf of the Plaintiff. Venire ispued for a Jury of Six men on application of the defendant. Venire returned Served on Six men, namely as follows, towit, William A Stevens, Joel Jelf William Merrett, William M Hanks, William Mead & Daniel McAuley. the parties being ready for trial, the Jury being empannelled and Sworn as the law directs, Subpoena returned same day as commanded Subpoena duces tecum ispued to James Dugan Constable June the 7th 1834 for Noah Harding a Justice of the peace to appear forthwith and bring along with him the record of a certain Judgment Smith Wilkins & Co against John M Smith & William Gregory with an Execution ispued in said case, on application of the defendant Subpoena duces Tecum returned Served same day The Jury returned the following verdict, towit. We the Jury do agree and find

Twelve dollars Debt and ten percentum damages and costs of Suit, except the costs that accrued by the Jury. for the plaintiff's damages from the 31st day of March 1834 till paid. William A Stevens foreman It is therefore considered that the plaintiff have Judgment and Execution against the said defendant for twelve dollars debt together with ten percentum damages from the 31st day of March 1834 till paid together with costs of Suit by about his Suit herein Expended, taxed at $3,81¼ cents and Gideon Kufford recover of the plaintiff the costs accrued by the Jury taxed at $2,30 cents and the said defendant in mercy &c Job Osborn J.P.

Appeal Bond filed June the 9th 1834 State of Indiana Hendricks County I the undersigned Justice of the peace do hereby certify the above to be a true Transcript from my docket Given under my hand and seal this 21st day of June 1834 Job Osborn Justice of the peace Seal

And afterwards, towit, on the Sixteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four at the court house in Danville the same being the fourth Judicial day of the term of the court first aforesaid before the Judges aforesaid. Now Come the parties and by their agreement this cause is submitted to the court upon an agreement as to the facts which said agreement is in the words and figures following, towit, Kufford recd the the execution in the Scire Facias named, and made the money. at the time of making the same he had an Execution in favour of Smith Wilkins & Co against Gregory & Smith, and for a greater amount than that collected upon that execution named in the Scirefacias, as and upon that execution he applied the money made upon the execution in the Scirefacias mentioned. At the time of such applica=tion and previous thereto, the Judgment upon which the execution named in the Scirefacias was issued, had been transfered to William L Matlock which transfer is made a part hereof The above facts are agreed to, & upon these facts the case is submitted to the court, towit, the case of William Gregory for the use of William L Matlock against Gideon Kufford The execution in favour of Smith Wilkins & Co against said Gregory & Smith is also made a part hereof. Before Kufford returned the Execution in the Scirefacias named but after he had returned the said execution with said money applied thereon by Order of the Justice issuing the same in consequence of the Judgment against Gregory & Smith being reversed. Kufford was notified of said Judgment in favour of Gregory being assigned to Matlock. Said Smith who was Jointly bound with said Gregory in said Execution in favour of Smith Wilkins & Co was bound by a writting executed between and by him and said Gregory to pay all the Joint debts of said Gregory & Smith, but of this Kufford knew nothing Signed C.C. Nave for Plff Wick for Kufford And the premises being seen It is considered by the court here that the plain=tiff recover of the defendant the sum of twelve dollars cents and also the sum of Thirteen dollars and fourteen & a half cents for his costs and charges in this behalf laid out and expended, and the defen=dant in mercy &c

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The end of October Term AD 1834

Record of Cases tried & determined in the Hendricks Circuit Court at the April Term A D 1835

Pleas before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the county of Hendricks, at a Term of said Hendricks circuit court, began and held at the Court-House in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five (to wit,

The State of Indiana vs James Dicken

Indictment for Wagering

Be it remembered that heretofore (to wit, at the April term of the Hendricks Circuit began and held at the Court house aforesaid in the town aforesaid before the Honorable Bethuel F Morris President Judge of said Court, and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of the Court aforesaid by the Oath of Gideon Wilson foreman and his fellows Warner Hockett, Jeremiah Hadley, Charles Fullen, Geo W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock, Wenn Jones, Moses Parks Jun Joel Jolf, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled, sworn and charged to enquire within and for the body of the County of Hendricks upon their Oath present as follows (to wit, State of Indiana Hendricks County ss. Hendricks circuit court, at the April term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, empannelled sworn and charged, to enquire within and for the body of the county of Hendricks aforesaid, upon their oath present that James Dicken late of said county Gentleman on the twenty fifth day of December in the year Eighteen hundred and thirty three with force and arms at the county aforesaid, did then and there win and take of and from one George Smith then and there being, one dollar in money, by then and there betting with the said George Smith upon a certain Wager commonly called a horse race, which said Wager was then and there won and determined by and with horses, to wit, at the county aforesaid, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W Herod Prosecutor

And afterwards (to wit, on the sixteenth day of April in the year Eighteen hundred

and thirty four, the same being the fifth day of the term last aforesaid the foregoing Bill of Indictment was returned into Court with the following endorsement thereon (to wit) "A True Bill, Gideon Wilson foreman of the Grand Jury" And afterwards to wit, at a term of the Court aforesaid began and held at the Court house aforesaid, by the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges as aforesaid, on Monday the thirteenth day of October in the year Eighteen hundred and thirty four Comes Herod for the State, and the defendant personally comes also, and on motion of the Attorney for the State this Cause is continued until the next term And the said James Dicken with Isaac Wilcox his security come and severally acknowledge themselves to owe and be indebted to the State of Indiana in the sum of fifty dollars each, to be levied of their respective goods and chattels, lands and tenements, if default be made in the condition following, which is that the said James Dicken shall be and personally appear before the Judges of this Court on the first day of their next term, and answer to the said Indictment for Wagering, and not depart without leave of the Court And afterwards on the day and year first aforesaid, before the Honorable the Judges first aforesaid Comes Herod for the State, and the defendant personally comes also, and being arraigned upon said Indictment, saith he is not guilty as charged, and for trial thereof puts himself upon the Country and the Attorney for the State doth the like: And by agreement this Cause is submitted to the Court without the intervention of a Jury and the proofs and allegations being heard, It is considered by the Court now here that the said defendant is guilty; And that he do make this fine to the State of Indiana in the sum of two dollars, and pay the costs of this prosecution And it is ordered that the said defendant Stand committed in the Custody of the Sheriff until the fine and costs are paid or replevied

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The State of Indiana
vs
Fielder F Martin

Pleas before the Honorable William W Wick President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said Court Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five (to wit)

The State of Indiana
vs
Fielder F Martin

Indictment for Gaming No 1

Be it remembered that heretofore to wit at the April term of the Hendricks Circuit Court began and held at the Court House aforesaid on Monday the fourteenth day of April in the year of our Lord One Thousand Eight Hundred thirty four before the Honorable Bethuel F Morris President Judge and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of said Court, by the oath of Gideon Wilson foreman and his fellows Warner Hackett, Jeremiah Hadley, Charles Fuller, George

W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm James Moses Parks Jun.r Joel Jeffs, David Sparks, John Merrett, Georg Peck and Thomas J Walker Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the county of Hendricks upon their Oath present as follows towit State of Indiana Hendricks County, Hendricks circuit court, at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that Felden Fletcher late of said County Yeoman, on the twenty seventh day of December in the year Eighteen hundred and thirty three with force and arms at said County did then and there win of and from One Robert Long then and there being, ten dollars in money, by then and betting with the said Robert Long at and upon a certain game and Wager to be then and there determined by, with, at and upon a Roulette Table Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W Herod Prosecutor

On the back of the foregoing bill of Indictment is the following endorsement towit, "A True Bill, Gideon Wilson Foreman of the Grand Jury

And afterwards towit at a term of the Hendricks circuit court, began and held at the Court House aforesaid, on the Thirteenth day of October in the year Eighteen hundred and thirty four by the Honorable Bethuel F Morris President Judge as aforesaid and Elijah Anderson and Hiram Lock Gideon Wilson Esquires Associate Judges of said Court as aforesaid At this time comes Herod for the State and the process herein being returned not found, this cause is continued and further process is awarded And afterwards, on the day and year first aforesaid before the Honorable the Judges first aforesaid At this time comes Herod for the State and the defendant personally comes also, and being arraigned upon the said Indictment saith he is guilty; It is therefore considered by the court now here that the said defendant do make this fine to the State of Indiana in the sum of three dollars and pay the costs of this prosecution, And it is Ordered that the said Felden Fletcher stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

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Read before the Honorable William W. Wick President Judge of the Fifth Judicial circuit of the state of Indiana. And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit court within and for the County of Hendricks, at a term of said Hendricks circuit court began and held at the Court house in the town of Danville on Monday the Thirteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty five towit

The State of Indiana vs John Nichols

Indictment for Gaming No 1

Be it remembered that thereupon towit, at a term of the Hendricks circuit court began and held at the court house aforesaid in town aforesaid, before the Honorable Bethuel F Morris President Judge of the fifth

Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires, Aprociate Judges of the Hendricks circuit court, on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, by the oath of Gideon Wilson foreman as his fellows Warner Cockett, Jeremiah Hadley, Charles Fuller Geo. W. Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Mattock Wm. Jones, Moses Parks Junr. Joel Jelf, David Sparks, John Merritt Geo. Peck and Thomas J. Walker. Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows (towit) State of Indiana Hendricks county, Hendricks circuit court, at the April term thereof in the year of our Lord Eighteen hundred and thirty four The Grand Jurors for the State of Indiana; impannelled, sworn and charged to enquire within and for the body of the county of Hendricks aforesaid, upon their Oath present that John Nichols late of said county Gentleman on the twenty seventh day of December in the year Eighteen hundred and thirty three, with force and arms at said County, did then and there lose to and pay over to One Robert Long then and there being Eleven dollars and Sixty two and one half cents in money, by then and there betting with the said Robert Long at and upon a certain game and Wager, to be then and there determined, by, at, with and upon a Rolette table Cantrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. And the Jurors aforesaid upon their oath aforesaid, do further present that the said John Nichols on the day and year aforesaid, with force and arms at the county aforesaid did then and there win and take of and from one Robert Long then and there being Eleven dollars and Sixty two and one half cents in money, by then and there betting with the said Robert Long at and upon a certain game and wager to be then and there determined, by, at, upon and with a Rolette Table. Cantrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana

William Herod Prosicutor

On the back of the foregoing bill of Indictment is the following endorsement (towit) "A True bill Gideon Wilson foreman of the Grand Jury" And afterwards (towit) at a term of the Hendricks circuit began and held at the Court house in the town of Danville, aforesaid, on Monday the thirteenth day of October in the year Eighteen hundred and thirty four, by the Honorable Buttul F. Morris President Judge of the fifth Judicial circuit as aforesaid, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges as aforesaid At this time comes Herod for the State and the precept herein being returned not found this cause is continued and further process awarded. And afterwards (towit) on the day and year first aforesaid, at the Court house aforesaid, before the honorable the Judges first aforesaid Now comes Herod for the State and the defendant personally comes also, and being arraingned upon the said Indictment, saith he is not guilty as charged; and by agreement this cause is submitted to the court without the intervention of a Jury; And the proofs and allegations being heard and the premises being seen and instructed, It is considered that he is guilty as charged; It is therfor considered by the court now here that that said defendant do make this fine to the State of Indiana in the sum of three dollars, and pay the costs of this prosecution And it is ordered that the said John Nichols stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Befor the honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Aprociate Judges of the Hendricks circuit court, within and for the county of Hendricks ~~and~~ at a Term of the said Hendricks circuit court, began and held at the Court House in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five (towit,

The State of Indiana
John vs Nichols } Indictment for Gaming No 2

Be it remembered that heretofore, towit, at a Term of the Hendricks circuit court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen Hundred and thirty four, befor the honorable Bethuel F Morris President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires, Aprociate Judges as aforesaid, by the oath of Gideon Wilson forman and Tis fellows, Warner Hackett, Jeremiah Hadley, Charles Fuller, George W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Statlock, Wm Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merritt, Georg Beck and Thomas J Walker Grand Jurors for the State of Indiana, impannelled sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks County, Hendricks Circuit Court, at the April Term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana, impannelled, sworn and charged to enquire within and for the County of Hendricks aforesaid, upon their oaths present that John Nichols late of said County Gentleman on the tenth day of March in the year Eighteen Hundred and thirty four, with force and arms, at the County aforesaid, did then and there win of and from some person to the Grand Jurors aforesaid unknown then and there being, at and upon a certain game, at and with Cards then and there played by and between the said John Nichols and the said person to the Grand Jurors aforesaid, unknown aforesaid twenty five cts in money, which the the said John Nichols then and there won and took, from the said person to the Grand Jurors aforesaid unknown by then and there betting with the said person aforesaid, to the Jurors aforesaid unknown, at and upon the said game, at and with Cards as aforesaid Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W Herod Prosecutor

On the back of said Indictment is the following endorsement towit "A True Bill, Gideon Wilson forman of the Grand Jury,, And afterwards (towit, at a Term of the Hendricks Circuit court, began and held at the court house aforesaid, on Monday the thirteenth day of October in the year Eighteen Hundred thirty four, befor the Honorable Bethuel F Morris President Judge as aforesaid, and Elijah Anderson and Gideon Willson Esqrs Aprociate Judges as aforesaid Comes now Herod who prosicutes the pleas of the State, and the Procs herein having been returned not found this cause is continued and further procs is awarded And afterwards, towit, on the day and year first aforesaid, at the court house aforesaid, befor the honorable the Judges first aforesaid At this time comes Herod for the State, and the defendant personally comes also, and being arraigned upon the said Indictment

saith he is not guilty as charged, and by agreement this cause is submitted to the court without the intervention of a Jury, and the premises being seen and inspected; It is considered by the court now here that the said defendant is not guilty It is therefore considered by the Court, that the said defendant as to the said Indictment do stand acquit and go hence without day

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Pleas before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the thirteenth day of April in the year of our Lord Eighteen hundred and thirty five (towit)

The State of Indiana
vs
Hardin H Wilcox
with James Dicken

Indictment for an Affray

Be it remembered that heretofore, towit, at a term of the Hendricks Circuit Court began and held at the court house in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires, Associate Judges of the Hendricks circuit court within and for the County of Hendricks, by the Oath of Gideon Wilson Forman and this fellows Warner Hockett, Jeremiah Hadley, Charles Fuller, George W Rees, Preston Pennington, Isaac Wilcox Kirban Hunt, David Statlock, Wm James, Moses Parks Jr Joel Jeffs David Sparks, John Merrett George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled, sworn and charged to enquire within and for the body of the county of Hendricks upon their oath present as follows, towit, State of Indiana Hendricks county, Hendricks Circuit court. at the April Term thereof in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana empannelled sworn and charged to enquire in and for the body of the county of Hendricks aforesaid, upon their oath present that Hardin H Wilcox late of said County Yeoman, and James S Dicken late of said County Yeoman, on the first day of January in the year Eighteen hundred and thirty four, with force and arms at said county, by a mutual agreement then and there made, by and between the said Hardin H Wilcox and the said James S Dicken, did then and there fight together in pursuance of said agreement, at and in a public place, situate in said County to the great terror and disturbance of divers of the citizens of said State of Indiana being then and there assembled, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana W. Herod Prosecutor

The foregoing bill of Indictment is endorsed "A true bill and signed Gideon Willson Forman of the Grand And afterwards, towit, at a term of the Circuit aforesaid, began and held at the Court House aforesaid

On the thirteenth day of October in the year Eighteen hundred and thirty four before the Honorable Bethuel F. Morris President Judge as aforesaid, and Elijah Anderson and Gideon Wilson Esquires associate Judges as aforesaid At this time comes Herod for the State, and the defendants personally come also, and on motion of the Attorney for the state this cause is continued until the next term. And the said Hardin H Wilcox comes and brings Isaac Wilcox his security, who severally acknowledge themselves to owe and be indebted to the State of Indiana in the sum of fifty dollars each, to be levied of their respective goods and chattels, lands and tenements if default be made in the condition following, which is that the said Hardin H Wilcox shall be and personally appear before the Judges of this Court on the first day of their next term, and answer to the said Indictment for an Affray, and not depart without leave of the court And afterwards, (to wit, on the day and year first aforesaid at the term of the court first aforesaid, before the Judges first aforesaid. At this time comes Herod who prosecutes the pleas of the State in this behalf, and the said defendant personally comes also, and being arraigned upon said Indictment, saith he is not guilty, and for trial thereof puts himself upon the country, and the attorney for the state doth the like, and by their agreement this cause is submitted to the determination of the court without the intervention of a Jury; and the proofs and allegations being heard, It is considered by the court that the defendant is not guilty; It is therefor considered by the court now here, that the said defendant acquit and go hence without day

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Pleas before the Honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the county of Hendricks, at a term of the said Hendricks circuit court began and held at the Court House in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight hundred and thirty five (to wit)

The State of Indiana
vs
Thomas Whadd

Indictment for Gaming

Be it remembered that heretofore, (to wit) at a term of the Hendricks circuit court began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires associate Judges of said circuit court, by the oath of Gideon Wilson foreman and his fellows Warren Hockett, Jeremiah Hadley, Charles Fullen, George W Nees, Preston Pennington Isaac Wilcox, Hiram Hunt, David Stallcup, Wm Jones, Moses Parkes Jr Joel Jelf, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana, empannelled sworn and charged to enquire within and for the body of the county of Hendricks upon

their oath present as follows, towit, State of Indiana Hendricks county Hendricks circuit court, at the April Term thereof, in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana empannelled, sworn and charged to enquire within and for the county of Hendricks aforesaid upon their oath present that Thomas Chadd late of said county Gentleman on the tenth day of October in the year Eighteen hundred and thirty three, with force and arms at the county aforesaid, did then and there win of and from some person to the Grand Jurors aforesaid unknown then and there being, at and upon a certain game, at and with cards, then and there played by and between the said Thomas Chadd and the said person to the Jurors aforesaid unknown aforesaid twenty five cents in money, which he the said Thomas Chadd then and there won and took from the said person to the Jurors aforesaid unknown, by then and there betting with the said person to the Jurors aforesaid unknown, at and the said game, at and with cards as aforesaid. Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana And the Jurors aforesaid upon their oath aforesaid do further present, that the said Thomas Chadd on the day and year aforesaid, with force and arms at the county aforesaid, did then and there loose to and pay over to some person to the Jurors aforesaid unknown then and there being, at and upon a certain game, at and with cards, then and there played by and between the said Thomas Chadd and the said person aforesaid, to the Jurors aforesaid unknown, twenty cents in money, which he the said Thomas Chadd then and there lost to and paid over to the said person to the Jurors aforesaid unknown as aforesaid by then and there betting with the said person to the Jurors aforesaid, unknown as aforesaid, at and upon the said game, at and with cards as aforesaid. Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W Herod Prosecutor

And afterwards, towit, on the fourteenth day of October in the year Eighteen hundred and thirty four, the same being the second Judicial day of the October term of the Circuit Court aforesaid, in said year [illegible]on and held at the court house in the town of Danville by the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges as aforesaid At this time comes Herod for the State and the process herein being returned not found this cause is continued and further process is awarded. And afterwards, towit, on the day and year first aforesaid, at the term of the court first aforesaid, before the Honorable the Judges first aforesaid. Now at this time comes Herod for the State and the said defendant personally comes also, and being arraigned upon said Indictment, saith he is not guilty as charged and for trial thereof puts himself upon the country, and the Attorney for the state doth the like; and by agreement this cause is submitted to the court without the intervention of a Jury, and the proofs and allegations being heard, it is considered that the said defendant is guilty as charged; It is therefor considered by the court now here that the said defendant do make his fine to the State of Indiana in the sum of one dollar, and pay the costs of this prosecution And it is ordered that the said defendant stand stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable W Mick President Judge of the Fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires aprociate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said Hendricks Circuit Court, began and held at the Court House in the town of Danville On Monday the Thirteenth day of April in the year of Our Lord One Thousand Eight Hundred & thirty five towit

The State of Indiana
vs.
Peter McRoberts } Indictment for an Assault & Battery

Be it remembred that heretofore towit, at a term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year Eighteen Hundred and thirty four, before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Aprociate Judges as aforesaid, by the Oath of James J. Hadley forman and his fellows William Merrett, William Trotter, Ezekiah McClintick, William Hamilton, Jonathan Williams, Robert Walkup, Wesley Morgan, William Gilmore, Frederick Wyckel Jesse Canada, John Cash, Ezekiel Hornaday, Stephen Cook, Andrew Clifton & George Hartman, Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the body of the County of Hendricks upon their oath present as follows towit State of Indiana Hendricks County, Hendricks Circuit Court at the October term thereof Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana empannelled, sworn and charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that Peter McRoberts late of said County Gentleman on the first day of September in the year Eighteen Hundred and thirty four, with force and arms at said County, in and upon the body of one Pemberton S Dicken then and there being an Assault did make and him the said Pemberton S Dicken did then and there in a rude insolent and angry manner unlawfully touch strike, beat and wound, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

William Herod Prosecutor

The foregoing bill of Indictment was on the third day of the term of the Court last aforesaid, returned by the Grand Jurors aforesaid, into Court and marke filed, on the back of which is the following endorsement thereon written "A True Bill," signed, "Sal J Hadley Forman of the Grand Jury" And afterwords towit, on the day and year first aforesaid, at the term of the Court first aforesaid, before the Honorable the Judges first aforesaid At this time comes Herod for the State and the defendant personally comes also, and being arraigned upon said Indictment, saith he is guilty as charged, and the premises being seen, It therefore considered by the Court now here that the said defendant do make this fine to the State of Indiana in the sum of three dollars, and pay the costs of this prosecution And it is Ordered that the said defendant Stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the county of Hendricks, at a term of said Hendricks circuit court, began and held at the Court house in the town of Danville on Monday the Thirteenth day of April in the year of our Lord One Thousand Eight hundred and thirty five towit

The State of Indiana
Vs
Peter McRoberts } Indictment for Kidnapping

Be it remembered that heretofore towit at a term of the Hendricks circuit court began and held at the court house in the town of Danville in the county aforsaid on Monday the thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four before the Honorable Bethuel F Morris President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, as aforesaid by the oath of James F Hadley foreman and his fellows William Merritt, William Trotter, Ezekiah McClintick, William Hamilton, Jonathan Williams Jesse Canaday, John Cash, Ezekiel Kennaday, Stephen Cook, Robert Walker, Wesly Morgan, William Gilmore, Friderick Whicker, Andrew Clifton and Geo Eastman Grand Jurors for the State of Indiana. impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforsaid upon their oath present as follows, towit, State of Indiana Hendricks county set Hendricks circuit court October term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana impannelled sworn and charged to enquire within and for the body of the county of Hendricks aforsaid upon their oath present that Peter McRoberts late of said county Gentleman on the twenty fourth day of July in the year Eighteen hundred and thirty four, with force and arms at the county aforsaid. one Susannah, woman of Caulor then and there being found, did then and there forcibly and unlawfully arrest and carry away and convey the said Woman of Caulor to parts without the State of Indiana. towit, to the State of Kentucky He the said Peter McRoberts not having then and there first established a claim upon the services of said Susannah a woman of Caulor as aforsaid, according to the laws of the State of Indiana, nor had the said Peter McRoberts then and there first established a claim upon the services of the said Susannah as aforsaid according to the laws of the United States, towit, at the county aforsaid Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana William Herod Prosecutor

The foregoing Bill of Indictment was returned into court by the Grand Jurors aforsaid on the fourth Judicial day of the term of the court last aforsaid with the following endorsement thereon written towit, "A True bill," and Signed James F Hadley foreman of the Grand Juror And afterwards towit, on the day and year first aforsaid at the term of the court first aforsaid, before the Honorable the Judges first aforsaid Now at this time Comes Herod who prosicutes the pleas of the State, and the defendant personally comes also, and by counsel moves the court to quash the said Indictment, and the premises being seen; It is considered by the court,

now here that the said Indictment is not sufficient in law for the State of Indiana to have and maintain her prosecution thereon against the said defendant, and it is Ordered that the said defendant as to the said Indictment, do go hence with=out day

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Pleas before the Honorable William W Wick President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks at a term of the said Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the thirtieth day of April in the year of Our Lord One Thousand Eight Hundred and thirty five (to wit,

The State of Indiana
vs
Moses G Carlew

Indictment for an Assault & Battery

Be it remembered that heretofore at (to wit, at a term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the thirteenth day of October in the year of Our Lord One Thousand Eight Hundred and thirty four, before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges as aforesaid, by the oath of James J Hadley foreman and his fellows William Mefrett, William Trotter, Ezekiel Ezekiah McClintick, William Hamilton, Jon=athan Williams, Jesse Canada, John Cash, Ezekiel Kennady, Stephen Cook, Ro=bert Walker, Wesley Morgan, William Gilmer, Frederick Whicker, Andrew Clifton and George Hartman Grand Jurors for the State of Indiana impan=nelled sworn and Charged to enquire within and for the county of Hendricks, upon their oath present thus as follows (to wit, State of Indiana Hendricks, Hendricks Circuit Court at the October term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana empannelled sworn and Charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present that Moses Gradison Carlew late of said County Yeo=man on the first day of February in the year Eighteen Hundred and thirty four with force and arms at said County in and upon the body of One George Moore Jr then and there being, an Assault did make and him the said George Moore Jr did then and there in a rude insolent and angry manner unlawfully touch, strike, beat and wound Contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Indiana W Herod Prosecutor

On the back of the foregoing bill of Indictment is the following endorsement to wit, A True bill, Signed Gideon Lee J J Hadley foreman of the Grand Jury

And afterwards (to wit, on the day and year first aforesaid, at the term of the Court first aforesaid, before the Honorable the Judges first afore=said, Comes now the Herod who prosecutes the pleas of the State, and the def=endant personally comes also and being arraigned upon the said Indictm=ent saith he guilty as charged, and the premises being seen, It is considered by the Court, here that the said defendant do make his fine to the State of

Indiana in the sum of One dollars, and pay the costs of this prosecution
And it is Ordered that the defendant stand committed in the custody of the
Custody of the Sheriff untill said fine and Cost be paid or replevied

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Pleas before the Honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville in the County aforesaid on Monday the Thirteenth day of April in the year of our Lord One thousand Eight Hundred and thirty five (town),

The State of Indiana
vs
Leroy Gibbons
& Adam Mead

Indictment for an Affray

Be it remembered that heretofore (town) at a term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of our Lord one thousand Eight Hundred and thirty four, before the Honorable Bethuel F Morris President Judge of the fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court as aforesaid, by the Oath of James J Hadley foreman and this fellows William Merritt, William Trotter, Ezekiah M Clintick, William Hamilton, Jonathan Williams Jesse Canada, John Cash, Ezekiel Hornaday, Stephen Cook, Robert Walker Wesley Morgan, William Gilmer, Frederick Wicker, Andrew Clifton and George Hartman Grand Jurors for the State of Indiana, empannelled Sworn and Charged to enquire within and for the County of Hendricks aforesaid upon their Oath present as follows (town), State of Indiana Hendricks County, Hendricks Circuit Court, at the October term thereof in the year Eighteen Hundred and thirty four, the Grand Jurors for the State of Indiana empannelled Sworn and charged to enquire within and for the County of Hendricks aforesaid upon their oath present that Leroy Gibbons late of said County Yeoman, and Adam Mead late of said County Yeoman on the first day of August in the year Eighteen hundred and thirty four with force and arms at said County did then and there by a mutual agreement then and there made, fight together in pursuance of said agreement, at and in a public place situate in said County, to the great terror and disturbance of divers of the citizens of said State of Indiana, being then and there assembled Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana W Herod Prosecutor On the back of the foregoing bill of Indictment is the following endorsement towit "A True bill, James J Hadley forman of the Grand Jury And afterwards, towit, on the day and year first aforesaid, at the term of the Court first aforesaid, before the Judges first aforesaid. At

this time comes Herod for the State, and the defendants personally come also, and being arraigned upon the said Indictment say they are guilty as charged; And the premisks being seen, It is consedered by the Court here, that the said defendants do make their fine to the State of Indiana in the sums of five dollars and pay the and pay the costs of this prosecution And it is Ordered that the said defendants stand committed in the custody of the Sheriff until the said fine and costs are paid or replevied

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Pleas before the Honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires aprociate Judges of the Hendricks circuit court, within and for the county of Hendricks, at a term of the Hendricks circuit court, began and held at the court house in the town of Danville on Monday the Thirteenth day of of April in the year of our Lord One Thousand Eight hundred and thirty five (town), The State of Indiana vs Fielder F Martin Indictment for suffering Gaming No 2

Be it remembered that (undefined) (town), at a term of the Hendricks circuit court began and held at the court house in the town of Danville on Monday the Thirteenth day of October April in the year of our Lord One Thousand Eight hundred and thirty four, before the Honorable Bethuel F Morris President Judge of the fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires, aprociate Judges of the Hendricks circuit court as aforesaid, by the oath of Gideon Wilson and this fellows Warner Hockett, Jeremiah Hadley, Charles Fullen, Georg W Rees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Stallcup, Wm Jones, Moses Parks Jr, Joel Self, David Sparks, John Merrett, George Peck and Thomas J Walker Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the body of the County of Hendricks aforesaid upon their oath present as follows, (town), State of Indiana Hendricks county, Hendricks circuit court at the April term thereof in the year Eighteen hundred and thirty four. The Grand Jurors for the State of Indiana empannelled sworn and charged to enquire within and for the body of the county of Hendricks aforesaid upon their oath present that Fielder F Martin late of said county yeoman on the twenty Sixth day of December in the year Eighteen hundred and thirty three with force arms at said county did then and there permit and suffer one Robert Long and one Noah Good, then and there being, to play together at and in the House of the said Fielder F Martin, at and upon a certain game at, by and with and upon a Rotette then and there situate in said house for a valuable consideration (town), for fifty cents in money To the said Fielder F Martin being then and there licenced according to law to retail and vend Spiritous liquors, foreign and domestic Groceries in said house Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana W Herod Prosecutor

The foregoing bill of Indictment is endorsed A True bill and signed, Gideon Wilson foreman of the Grand Jury. And afterwards (town), at a term

of the Hendricks circuit court began and held at the court in the town of Danville aforesaid, on Monday the thirteenth day of October in the year of our Lord Eighteen hundred and thirty four before the Honorable Bethuel F. Morris President Judge of the fifth Judicial circuit of the State of Indiana as aforesaid, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges as aforesaid Comes now Herod for the State and the process herein being returned not found this cause is continued and further process is awarded And afterwards towit on the day and year first aforesaid, at the term of the court first aforesaid before the Judges first aforesaid, Comes now Herod who prosecutes the the pleas of the state, and the defendant in his own proper person comes also. and being arraigned upon the said Indictment, saith he is not guilty as charged And the said defendant is ordered into the custody of the Sheriff and time is given And afterwards towit, on the fourteenth day of April in the year first aforesaid, the same being the second Judicial day of the term of the court first aforesaid. before the said Judges first aforesaid Now at this time comes Herod prosecuting the pleas of the state and the defendant personally comes also, and for trial puts himself upon the country and the attorney for the state doth the like, and the Sheriff as he is commanded brings hereinto court the Jurors of the Jury towit, David Barnett, William Merritt, Samuel Parker, Joseph Johnson, William Jefferies, Thompson Clements, Archibald L Whitt, James Logan, Isaac Prather, Isaac Taylor, Elijah Thompson and James Parsley twelve good and discreet householders of the County, who being elected, tried and sworn a true verdict to give upon the issue aforesaid, say we the Jurors do not find the defendant guilty as charged; It is therefore considered by the court that the defendant as to the Indictment aforesaid do stand acquit and go hence without day

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Pleas before the Honorable William W Wick President Judge of the fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the County of Hendricks, at a term of said court began and held at the Court House in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight hundred and thirty five (towit,

The State of Indiana vs John Pritchett — Indictment for Larceny

Be it remembered that heretofore (towit, at a term of the Hendricks circuit court, began and held at the Court House in the town of Danville on Monday the fourteenth day of April in the year Eighteen hundred and thirty four, before the Honorable Bethuel F. Morris President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Thomas Lockhart Esquires Associate Judges of said court, by the Oath of Gideon Wilson formerly and his fellows Warner Hackett, Jeremiah Hadley,

Charles Fuller, George W Nees, Preston Pennington, Isaac Wilcox, Hiram Hunt, David Matlock, Wm Jones, Moses Parks Jr, Joel Jelf, David Sparks, John Merritt, George Rick, and Thomas J Walker Grand Jurors for the State of Indiana empannelled Sworn and charge to enquire within and for the county of Hendricks, upon their oath present as follows, towit, State of Indiana Hendricks County, Hendricks circuit court, at April term in the year Eighteen hundred and thirty four The Grand Jurors for the State of Indiana, empannelled, Sworn and charged to enquire within and for the body of the county of Hendricks aforesaid upon their oath present that John Pritchett Senior Late of said County yeoman on the thirteenth day of November in the year Eighteen hundred and thirty three with force and arms at said County five head of hogs of the value of fifty cents each of the personal goods of one William Abbott then and there being found, did then and there feloniously Steal, take, convey, lead and drive away Contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Indiana

W Herod Prosecutor

The foregoing bill of Indictment is endorsed "a True bill," and signed "Gideon Wilson foreman of the Grand Jury." And afterwords, towit, at a term of the Hendricks Circuit Court, began and held at the Court house in the town of Danville on Monday the thirteenth day of October in the year Eighteen hundred and thirty four by the Honorable Bethuel F Morris President Judge as aforesaid and Elijah Anderson and Gideon Wilson Esquires, associate Judges of said Court, Comes now Herod for the State and the defendant personally comes also, And on motion of the attorney for the State this cause is continued untill the next term and the said John Pritchett with James Pritchett his security come and severally acknowledge themselves to owe and be indebted unto the State of Indiana in the sum of One hundred dollars each, to be levied of their respective goods and chattles lands and tenements if default be made in the condition following, which is that the said John Pritchett shall be and personally appear before the Judges of this court on the first day of their next term and answer unto the said State of Indiana on an Indictment for Petit Larceny and not depart without leave of the court And afterwords, towit, on the fourteenth day of April in the year Eighteen hundred and thirty five at the court house in the town of Danville, the same being the second Judicial day of the term of the court first aforesaid, before the Honorable the Judges first aforesaid, Now at this time comes Herod the attorney prosecuting the pleas of the State, and the defendant personally comes also, and being arraigned upon the said Indictment, saith he is not guilty as charged, and for trial thereof puts himself upon the country, and the attorney for the State doth the like, and the Sheriff as he is commanded brings into court the Jurors of the Jury, towit, Jubal Lee, David Downs, John Walker, Ezekiel Moore, Beniah Dennis, Eli Watson, Abner Bagan, Gabriel Grayson, Zachariah Smith, Nicholas Count, Abner Wiley and Levi Brown, twelve good and discreet householders of the county who being elected, tried and sworn a true verdict to give upon the issue aforesaid, Say we of the Jurors do agree and find the defendant not guilty It is therefore considered by the court that the defendant as to the said Indictment do stand acquit and go hence without day

The State of Indiana
vs
William Burgess
} Scirfacias on forfeture of recognizance No 2

Pleas before the Honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gedeon Wilson Esqurs Apociate Judges of the Hendricks Circuit court, within and for the county of Hendricks, at a term of said Hendricks Circuit court, began and held at the court-house in the town of Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five (court,

The State of Indiana
vs
William Burgess
} Scirfacias on forfeture of recognizance No 2

Be it remembered that heretofore (court, at the October term of the circuit court aforesaid, Before in the year of our Lord One Thousand Eight Hundred and thirty four, Before the Honorable Bethuel F Morris President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gedeon Wilson Esquires, Apociate Judges as aforesaid. James Ligerson Sheriff of Hendricks county returned into Court the following bond of recognizance (court, State of Indiana Hendricks County. Be it remmembered that on the 9th day of May 1834 personally appeared before me James Ligerson Sheriff of Hendricks county James McAvoy, William Burgess and Thomas Kenton both of said county, who acknowledge themselves to owe and be indebted to the state of Indiana in the Sums of One Hundred dollars each, to be levied of their respective goods and chattels, lands and tenements, if default be made in the condition following (court) That is if the aforesaid James McAvoy shall shall personally be and appear before the Honorable the Judges of the Hendricks circuit Court on the first day of their next term to be holden at the Court-House in the said county of Hendricks, and there answer said Court to a certain bill of Indictment exhibited against him for Malicious Trespass, and to such matters and things as shall or may be then and there charged against him and not depart thence without leave of said Court, then this to be null and void, else remain in full force and virtue in Law

Signed Sealed and delivered in presence of me James Ligerson Sheriff of Hd James McAvoy Seal Thomas Kenton Seal Wm Burgess Seal

And whereas afterwords (court, on the fourteenth day of October in the year of our Lord One thousand Eight Hundred and thirty four at the Court House aforesaid, before the Honorable the Judges last aforesaid. Now at this time comes Herod who prosecutes the pleas of the State, and the said James McAvoy being thrice called comes not but makes default, and William Burgess and Thomas Kenton his securities being three called and required to bring into court the body of the said James McAvoy comes not but wholy fails; It is therefore considered by the court, that the said recognizance is forfeited and that the state of Indiana recover of the said James McAvoy William Burgess and Thomas Kenton the said Sum of One Hundred dollars each And it is ordered that several Writs of Scirfacias issue against each of the said defendant requiring them Severally to appear before the Judges of this court, on the first day of their next term, and Shew cause if any they have why the State shall not have her writ of execution against them for the amount of the recognizance aforesaid. And

Whereas afterwords, towit, on the first day of April in the year of our Lord One Thousand Eight hundred and thirty five, a writ of Scirifacias ispued from the Clerks office of the Hendricks circuit Court against the said William Burgess, directed to the Sheriff of Hendricks County, which said writ of Scirifacias, is in the words and figures following, towit, State of Indiana Hendricks County The State of Indiana Hendricks to the Sheriff of Hendricks County Greeting Whereas the Grand Jurors empannelled, Charged and Sworn at the April Term of the Hendricks circuit Court A D 1834 to enquire in and for the body of the County of Hendrecks aforsaid, did on the 18th day of said month, and at the said term of the said Court into the Court aforesaid Indictment against James McAvoy charging him with having committed a malicious Trespass Contrary to the forms of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana. And whereas afterwards (towit) on the second day of May 1834 a writ ispued from the clerks office in said County directed to the Sheriff of said County, Commanding him to take the body of the said McAvoy if to be found in his county and him safely Keep, so that he have his body before the Judges of the Hendricks circuit Court on the first day of their next term thereafter towit on the second Monday in October 1834 to answer unto the State of Indiana upon a bill of Indictment for a Malicious Trespass, upon the back of which said writ was the following endorsement (towit, The Sheriff is requred to take bail in the within case with One Security in the Sum of One hundred dollars each S. T. Hadley clerk

And afterwords (towit, on the 13th day of October 1834 it being the first day of the October Term of said Court, the aforementioned writ was returned into said Court with the following endorsement thereon (towit, Came to hand May the 5th 1834 Served on the within named McAvoy as within I am commanded James Ligerson Shff of H C

May the 8th 1834 accompanying which said writ was the following bond of recognizance returned and filed in said Court towit State of Indiana Hendricks County Be it remembered that on the 9th day of May 1834 personally appeared before me the undersigned James Ligerson Sheriff of Hendricks County James McAvoy, William Burgess and Thomas Kenton both of said county, who acknowledge themselves to owe and be indebted to the State of Indiana in the Sum of One hundred dollars each to be levied of their respective goods and chattels lands and tenements, if default be made in the condition following towit, that is if the aforesaid James McAvoy Shall Shall personally be and appear before the Honorable the Judges of the Hendricks circuit court, on the first day of their next term to be holden at the Court-House in the town said County of Hendricks and there answer the said Court to a certain bill of Indictment exhibited against him for Malicious Trespass and to such matters and things as shall or may be then and there charged against him and not depart thence without leave of said Court, then this to be null and void else remain in full force and virtue in law Signed Sealed and delivered in the presse of me James Ligerson H C,

James McAvoy (seal)
Thomas Kenton (seal)
Wm Burgess (seal)

And whereas afterwords, towit, on the 11th day of October A D 1834 it being at a term of the Hendricks Circuit Court holden at the Court House in the town of Danville, Now at this time comes Herod who prosicutes the pleas of the State and the said James McAvoy being thrice called answers not but makes default, and William Burgess and Thomas Kenton his securities being thrice called and requested to bring into Court the body of the said James McAvoy comes not but wholly fails, It is therefore considered by the Court, that the recognizance is forfeited and that the State of Indiana recover of the said James McAvoy, William Burgess and Thomas Kenton the said Sum of hundred dollars each And it is ordered that several writs of Scirifacias ispue against each of the said defendants requiring them severally to appear before the Judges of this Court, on the first day of their next term, and shew

cause if any they have why the State shall not have her writs of execution against them for the amount of the recognizance aforesaid You are therefore hereby commanded to Summon the said William Burgess to appear before the Judges of this Court Hendricks circuit court, on the first day of their next term to be holden at the Court house in the town of Danville on the Second Monday in April next to shew cause if any he has why the State shall not have her writs of execution against him for the amount of the recognizance aforesaid; And have you then there this writ Witness Simon J Hadley clerk of said Court, and its seal affixed at Danville this first day of April AD 1835

S J Hadley Clerk of H C

And afterwards (towit) on the fourteenth day of April in the year of our Lord One Thousand Eight hundred and thirty five. at the Court house in the town of Danville before the Honorable the Judges first aforesaid, the same being the second Judicial day of the term of the Court first aforesaid Now at this time comes Herod for the State and the defendant personally comes also, and files his plea of nul tiel record as follows (towit) William Burgess vs the State of Indiana April term AD 1835 And the said defendant by Nave his Attorney comes and defends the Wrong and injury when &c And says there is not any record of the said supposed recognizance and recovery in said Scirefacias mentioned, remaining in the said Hendricks Circuit Court in manner and form as the said State of Indiana hath above in her Scirefacias alleged, and this the said defendant is ready to verify by the record now remaining in said Court, wherefore he pray Judgment, if the said State of Indiana ought to have her writ of Scirefacias execution thereof against his goods and chattels, lands and tenements &c C C Nave Atto for Deft

And the said Attorney for the State files his replication thereto, as follows towit The State of Indiana vs William Burgess And the Attorney for the State comes and for replication to the defendants plea above pleaded says precludi non &c because he says there is a record of the said recognizance and recovery in said Scirefacias mentioned remaining in the Hendricks circuit Court in manner and form as set forth in the said Scirefacias. and this he is ready to verify by the records of said Court, wherefore he pray Judgment &c W Herod Prosecutor

and the premises being seen and understood by the Court now here into Court the record of the recognizance and recovery aforesaid, and thereupon it is considered that that the plea of the defendant is sustained to bar or preclude the State from having and maintaining her action against the said defendant. but that there is a record of the said recognizance and recovery as in said Scirefacias averred and the defendant saying nothing further in bar or preclusion of the aforesaid action; It is therefore considered by the Court that the State of Indiana have her execution against the goods and chattels, lands and tenements of the said William Burgess for the sum of One hundred dollars, and also for the sum of six dollars and seventy four cents for the costs and charges in this behalf laid out and expended and the defendant in mercy &c

Pleas before the Honorable William W Wick President Judg of the Fifth Judicial Circuit of the State of Indiana; And Elijah Anderson and Gideon Wilson Esquires associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April term of said Hendricks circuit Court began and held at the Court House in the town of Danville in the year of Our Lord One Thousand Eight hundred and thirty five (towit)

John Dale
vs
James Dugan & Rucker K Carter

Appeal

Be remembered that heretofore towit on the twenty third day of October in the year of our Lord One Thousand Eight hundred and thirty four Noah Harding a Justice of the peace in and for the County of Hendricks, filed in the Clerks office of said County on behalf of the above entitled defendants, the following note of hand, together with a Transcript of the proceedings had before him in the above entitled case ——— First the note ——— "On or before the first day of September next we or either of us promise to pay John Dale Eleven dollars and sixty four cents for value received, this the 17th day of February 1834

James Dugan Seal
R K Carter Seal

The Transcript ——— John Dale vs James Dugan & Rucker K Carter ——— The Plaintiffs demand by note filed on the 17th day of October 1834 (towit) $11.64 cents due the first day of Sept[r] 1834, a Summons is issued to Joel Jelf Cons on the same day against the defendant returnable on the 8th day of this Inst at 12 Oclock on said day. Afterwords (towit, on the day aforesaid and at the time aforesaid, the said summons is returned Served the same day by reading Joel Jelf Con[d] And at this time the parties are thrice called, the plaintiff comes by his agent, but the defendants makes default; It is therefore considered that the plaintiff recover of the defendants the sum of $11.64 cents debt together with 5½ cents damage for the detention thereof, making altogether the sum of $11.69½ cents, also the costs of this Suit herein expended and the defendants in mercy &c Given under my hand and seal, this the 8th day of October AD 1834 Noah Harding JP Seal

Justices fees
Entry 12½
Issue & — — 12½
Judgt 12½
Execn — — — 12½
Trans 25
Appeal Bond 25

Cons Fees
Ss — — — 54
Ret 5
Ret Execn — 10
165

Execution is issued to Joel Jelf Const on the 9th day of October 1834. said Execution called in on the 17th An Appeal Bond filed on the 17th day of October 1834 said Execution is called in on the 19th day of October 1834 I do certify that the above is a true Transcript from my docket of the proceedings had before me in said case Given under my hand and seal this 23d day of October AD 1834 Noah Harding J P Seal

And afterwords towit, on the fourteenth day of April in the year first aforesaid, at the Court-House in the town of Danville aforesaid, before the Honorable the Judges aforesaid, the same being the Second Judicial day of the term of the Court aforesaid Comes now the plaintiff by Marvin his Attorney, and the defendant coming not but therein remains wholly undefended, and the premises being seen and inspected; It is therefore considered by the Court now here that the plaintiff recover of the defendants the sum of twelve dollars and Eighty Eight cents, and also the sum of Five dollars and thirty five cents for his costs and charges by him laid out and expended about this his said recovery and the defendants in mercy &c

Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires, Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Hendricks circuit court, began and held at the Court house in the town of Danville in the year of Our Lord One Thousand Eight Hundred and thirty five, towit,

Pemberton S Dicken
Vs
George M C Blake

Debt

Be it remembered that heretofore towit on the tenth day of February in the year Eighteen hundred thirty five Pemberton S Dicken the above entitled Plaintiff, by H C Nave his attorney filed in the clerks office of the Hendricks Circuit Court, the following promisary note towit, Nine Months after date I promise to pay P S Dicken the sum of Two hundred and eight dollars for value rec.d Witness my hand and seal this 11th day of March 1834

G M C Blake Seal

And afterwards, towit, on the sixth day of March in the year first aforsaid the said plaintiff by his said attorny filed in the clerks office aforsaid the following Declaration in the above entitled case, towit, State of Indiana Hendricks County ss Hendricks Circuit Court April Term 1835 P S Dicken vs G M C Blake. Debt for $208,00cts. damage $300,00cts. Pemberton S Dicken Plaintiff in this suit complains of Georg M C Blake defendant in this suit in being in custody of the Sheriff, of a plea of debt that he render to Pemberton S Dicken Plaintiff the sum of two hundred and eight dollars lawful money that to him he owes, and from him unjustly detains. For that whereas the said George M C Blake by the name and discription of G M C Blake, defendant, heretofore, towit, on the 11th day of March 1834, at the County of Hendricks and State aforsaid, and within the Juristiction of the Hendricks Circuit Court, by his certain writing obligatory Sealed with his ink seal, and now Shown to the Court here, the date whereof is a certain day and year above named, towit, the day and year aforsaid. Nine Months after the date thereof, promised to pay to the plaintiff by the name and discription of P. S. Dicken the sum of two hundred and eight dollars for Value received Yet the said defendant, although often requested so to do, hath not as yet paid the said sum of $208,00 above demanded, or any part thereof to the said Plaintiff, but hath hitherto wholly neglected and refused, and still neglects and refuses so to do Wherefore the said Plaintiff saith, that he is injured and hath sustained damage to the amount of $300,00 therefor he brings his suit &c H C Nave Atty for Plff

And afterwards, towit, on the fourteenth day of April in the year first aforsaid, at the Court House aforsaid, before the Honorable the Judges aforsaid, the same being the Second Judicial day of the Term of the Court aforsaid Now Come the parties and the defendant files his demurrer to the declaration of the plaintiff as follows towit, George M C Blake ats Pemberton S Dicken debt Damage $300,00 And the said George M C Blake the defendant in the above entitled cause comes by Duprés his attorney and defends the wrong &c and Saith that the said declaration and the Matters therein contained in manner and form as the same are above stated & set forth are not Sufficient for said plaintiff to have or maintain his aforsaid action thereof against him the said defendant, and that said deft is not bound by the laws of the land to answer the same, and this he is ready to verify wherefore

by reason of the insufficiency of the said plaintiffs declaration in this behalf the said deft prays Judgment & that said Plaintiff may be barred from having and maintaining his aforesaid action thereof against him W Quarles for Deft
and the plaintiff files his Joinder therein as follows, (towit, Pemberton & Dicken vs George M.C Blake. In debt. The Hendricks Circuit Court April Term thereof AD 1835
And the said Plaintiff saith the said declaration and the matters therein contained in manner and form as the same are above stated and set forth are sufficient in law for him the said Plaintiff to have and maintain his aforesaid action thereof against the said defendant, and the said plaintiff is ready to verify and proove the same as the court here shall direct and award; Wherefore in as much as the said defendant hath not answered the said declaration, nor hitherto in any manner denied the same the said Plaintiff pray Judgment, and his debt and damages by reason of the non payment of the debt in the said declaration mentioned to be adjudged to him &c, Nov 6 pltff for
Which being seen and understood, it seems to the court that the said declaration is good and sufficient for the said plaintiff to have and maintain his said action
It is therefore considered by the court that the plaintiff recover of the defendant two hundred and eight dollars, the debt in the declaration mentioned, and also nine dollars and forty five cents damages for the detention thereof, making in all the sum of two hundred and Seventeen dollars and forty five cents, besides Five ___ dollars and forty Six cents as and for his costs and charges by him about this recovery expended

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Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit court, within and for the County of Hendricks, at the April Term of said court began and held at the Court House in the town of Danville in the year of our Lord One thousand Eight hundred and thirty five (towit,

The State of Indiana
vs
Benjamin R Warmsley } Scirefacias

Be it remembered that heretofore (towit, at the October Term of the Hendricks circuit court began and held at the Court-house in the town of Danville in the year Eighteen hundred and thirty four before the honorable Bethuel F Morris the President Judge of the fifth Judicial Circuit of the State of Indiana, and the associate Judges aforesaid, James Sigerson Sheriff of Hendricks county returned into court the following bond of recog=nizance (towit, State of Indiana Hendricks county. Be it remembered that on the 9th day of May 1834 personally appeared before me James Sigerson Sheriff of Hendricks county Benjamin R Warmsley and James McAvoy both of said county who acknowledge themselves to owe and be indebted to the state of Indiana in the sum of two hundred dollars each, to be levied of their goods and chattels, Lands and tenements, if default be made in the condition following (towit, that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks circuit court on the first day of their next term to be holden at the Court House in said county of Hendricks, and there answer the

by reason of the insufficiency of the said plaintiffs declaration in this behalf the said deft prays Judgment & that said Plaintiff may be bared from having and maintaing his aforesaid action thereof against him W Quarles for Deft

and the plaintiff files his Joinder therein as follows, towit, Pemberton & Dicken vs George M C Blake. In debt. The Hendricks Circuit Court April Term thereof A D 1835 And the said Plaintiff saith the said declaration and the matters therein contained in manner and form as the same are above stated and set forth are sufficient in law for him the said Plaintiff to have and maintain his aforesaid action thereof against the said defendant, and the said plaintiff is ready to verify and proove the same as the court here shall direct and award; Wherefore in as much as the said defendant hath not answered the said declaration, nor hitherto in any manner denied the same the said Plaintiff pray Judgment, and his debt and damages by reason of the non payment of the debt in the said declaration mentioned to be adjudged to him & C C Nave pff for

Which being seen and understood, it seems to the court that the said declaration is good and sufficient for the said plaintiff to have and maintain his said action

It is therefore considered by the court that the plaintiff recover of the defendant two hundred and eight dollars, the debt in the declaration mentioned, and also nine dollars and forty five cents damages for the detention thereof, making in all the sum of two hundred and Seventeen dollars and forty five cents, besides Five ___ dollars and forty Six cents as and for his costs and charges by him about this recovery expended

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Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Court begun and held at the Court House in the town of Danville in the year of our Lord One Thousand Eight hundred and thirty five (towit,

The State of Indiana
vs
Benjamin B Warnsley } Scirefacias

Be it remembered that heretofore (towit, at the October Term of the Hendricks circuit court began and held at the Court-house in the town of Danville in the year Eighteen hundred and thirty ~~five~~ four before the honorable Bethuel F Morris the President Judge of the fifth Judicial Circuit of the State of Indiana, and the associate Judges aforesaid, James Sigerson Sheriff of Hendricks County returned into court the following bond of recog-=nizance, towit, State of Indiana Hendricks County. Be it remembered that on the 9th day of May 1834 personally appeared before me James Sigerson Sheriff of Hendricks County Benjamin B Warnsley and James McAvoy both of said County who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of two hundred dollars each, to be levied of their goods and chattels, Lands and tenements, if default be made in the condition following (towit) that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks circuit court on the first day of their next term to be holden at the Court house in said County of Hendricks, and there answer the

State of Indiana to a certain bill of Indictment exhibited against him for Chaling &c and to such matters and things as shall or may be then charged against him and not, and not depart thence without Leave of said Court then this to be void else remain in full force and virtue in law Signed Sealed and delivered in presence of me and by me acknowledged James McAvoy (seal)
James Sigerson Sheriff &c B B Warmsley (seal)

And afterwards (to wit) on the fourteenth day of October in the year Eighteen hundred and thirty four, at the court house in the town of Danville, before the Honorable the Judges aforesaid, the same being the second Judicial day of the term of the court aforesaid At this time comes Herod for the state and the defendant by Hord his Attorney comes also, and files a demand to the and the said James McAvoy being three solemly called comes not but makes default and Benjamin B Warmsley his security being three called and required to bring into Court the body of the said James, comes not but herein wholly fails. It is therefore considered by the court here that the said recognizance is forfeited and hath become absolute, and that the State of Indiana recover of the said James McAvoy and Benjamin B Warmsley the said sum of two hundred dollars each, and it is ordered that Several Writs of Scirefacias issue against the said defendants requiring each of them to appear before the Judges of this court on the first day of the next term and shew cause if any they have why the State shall not have her writs of execution against them for the amount of the said recognizance. And whereas afterwards (to wit) on the fourth day of March in the year Eighteen hundred and thirty five a writ of Scirefacias issued from the clerks office of the Hendricks Circuit Court against the said Benjamin B Warmsley; which said Scirefacias is in the words and figures following (to wit)

State of Indiana Hendricks County. The State of Indiana to the Sheriff of Hendricks County Greeting; Whereas the Grand Jurors impannelled charged and sworn at the April Term of the Hendricks Circuit Court AD 1834 to enquire in and for said the body of said county did on the 18th day of said month at the said term of said Court return into court an Indictment against one James McAvoy charging him with challinging one James Burris to fight a duel with pistols contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana. And whereas afterwards (to wit) on the second day of May 1834 a writ issued from the clerks office in said county directed to the Sheriff of Hendricks county commanding him to take the body of the said James McAvoy (if to be found in his county) and him safely keep so that he should have his body before the Judges of the Hendricks Circuit Court on the first day of their October Term 1834. to answer unto the State of Indiana upon a bill of Indictment for challinging to fight a duel; upon the back of which writ was the following endorsement (to wit) The Sheriff is required to take bail in the within case with two Securities in the sum of two hundred dollars each, and afterwards (to wit) on the 13th day of October 1834 it being the first day of the October Term of said Court 1834 the above mentioned writ was returned into said Court with the following endorsement thereon (to wit) Came to hand May the 5th 1834 Served on the within named McAvoy as within I am commanded May the 8th 1834
James Sigerson Sheriff of H C

accompanying the above writ was the following bond of recognizance, returned into said Court (to wit) State of Indiana Hendricks County Be it remembered that on the 9th day of May 1834 personally appeared before me James Sigerson Sheriff of Hendricks county, Benjamin B Warmsley and James McAvoy both

of said county who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of two hundred dollars each, to be levied of their goods and chattels lands and tenements if default be made in the condition following, towit, that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks circuit Court on the first day of their next Term to be holden at the Court house in the said County of Hendricks, and there answer the State of Indiana to a certain bill of Indictment exhibitted against him for Chaling &c and to such matters and things as shall or may be then charged against him, and not and not depart thence without leave of said Court, then this to be void, else remain in full force and virtue in law

Signed Sealed and delivered in presence of me, and by me acknowledged

James Sigerson Sheriff H.C.

James McAvoy (Seal)

B B Warmsley (Seal)

And whereas afterwards towit on the 14th day of October 1834 at a term of the circuit court held at the Court house in and for said county, Comes Herod for the State and the said James McAvoy being thrice called comes not but makes default, and Benjamin B Warmsley his security being three called and required to bring into Court the body of the said McAvoy Comes not but herein wholly fails; It is therfore considered by the Court that the said recognizance is forfeited and hath become absolute, and that the said State of Indiana recover of the said James McAvoy and Benjamin B Warmsley the said sum of two hundred dollars each; And it is ordered that several writs of Scirefacias ifsue against the said defendants requiring each of them to appear befor the Judges of this Court on the first day of their next term and shew cause if any they have why the State shall not have her writs of execution against them for the amount of their of the said recovery. You are therfore hereby commanded to Summon the said Benjamin B Warmsley to personally be and appear befor the Judges of the said Hendricks Circuit Court on the first day of their next term to be holden at the Court house in Danville on the second Monday in April next to shew cause if any he has why the State of Indiana shall not have her execution against him for the amount of said recovery. In testimony whereof I do hereunto set my hand and affix the seal of said Court at Danville this 1th day of March 1835

S.T. Hadley Clerk

And afterwards, towit, in the Thirteenth day of April in the year Eighteen hundred and thirty five at the Courthouse in Danville, the same being the first Judicial day of the term of the Court first aforesaid before the Honorable the Judges first aforesaid, the forigoing writ of Scirefacias was returned and by James Sigerson Sheriff of the said County of Hendricks with the following endorsement thereon written, towit, Came to hand March 1th 1835 Served on the within as within I am commanded, March the 5th 1835

James Sigerson Shff

And thereupon Comes Herod for the State and the defendant by Nave his Attorney comes also, and files a demurrer to the said Scirefacias, which said demurrer is in the words and figures following, towit, Benjamin B Warmsley ats the State of Indiana, Scire Facias, The April Term of the Hendricks circuit Court 1835 And the said defendant by C C Nave his Attorney comes and defends the wrong and injury when &c and say that the said Scirefacias and the matters therein contained in manner and form as the same are above stated and set forth are not sufficient in law for the said State of Indiana to have her execution against the said defendant and that he the said defendant is not bound by law to answer the same. And this he is ready to verify, wherefor by reason of the insufficiency of the said Scirefacias in this behalf, the said defendant prays Judgment, and that the said State of Indiana may be barred from having her execution thereof against him for the forfeiture aforesaid &c

And the said defendant according to the statute in such case made and provided, comes and shews to the Court here, the following causes of demurrer to the said Scirefacias (First) For that the said Scire Facias doth not shew a good and sufficient Indictment against the said James McAvoy; in this, that it charges the said James McAvoy with challenging to fight with Pistols, without shewing stating how or in what manner the challenge was given, or does it state that he ever gave a challenge &c (Secondly) For that the said Scirefacias doth not shew that the Judgment of forfeiture, was taken on the first day of the Term, but that the same was taken on the second day of the Term, (towit) on the 14th day of October 1834 the same being the second day of the October term of the H Circuit Court without giving the said defendant any notice thereof (3d) For that it doth not show that there was any recognizance taken and acknowledged before a proper officer (4th) For that the said Scirefacias doth not show in the supposed condition of the recognizance the crime for which the said James McAvoy was charged in the said Indictment. For that it doth not show of, or at what term of the Hendricks circuit Court the said James McAvoy was to appear or where. (5th) For that it doth not show that the said defendant ever acknowledged the said recognizance, but that the same was acknowledged by one James Kilpatrick Shff of H.C. (6th) For that the said Scirefacias doth not in any part thereof shew the said defendant what amount of money the State claims off of him (7th) For that the said Scirefacias doth not show and state that the said defendant should shew cause why the State of Indiana should not have her execution against the goods and chattels Lands and tenements of him the said defendant, for the sum of two hundred dollars and costs, the amount of the forfeiture of his said recognizance, but that he must show cause why the State of Indiana shall not have her execution against him for the sum of said recovery &c 8th And also For that the said Scirefacias is in other respects uncertain, informal and insufficient &c

C C Nave Atto for deft

and time is given And afterwards, on the next day following, (towit, the fourteenth day of April in the year Eighteen hundred and thirty five, the same being the second Judicial day of the term of the first aforesaid, before the Honorable the Judges first aforesaid Now at this time comes Herod for the State, and the defendant comes also, and the Attorney for the State now files his joinder, and the premises being seen; It is considered by the court now here, that the said Scire Facias is sufficient in law for the State to have and maintain her action thereof against the said defendant. And by leave of the court the defendant withdraws his demurrer and asks leave to plead the plea of nul tiel record on the calling of the cause to morrow morning And afterwards (towit, on the next day following, the same being the third Judicial day of the term of the court first aforesaid. Now at this time comes as well the Attorney prosecuting the pleas of the State, and the defendant by his Attorney comes also, and the defendant files his plea of nul tiel record, as follows (towit, Benjamin B Wadsley ats the State of Indiana Scirefacias. April term 1835 And the said defendant by Nave his attorney comes and defends the wrong and injury when &c And says there is not any record of the supposed Indictment, writ, order of bail return of the officer, recognizance and recovery in the said Scirefacias mentioned remaining in the said Hendricks circuit Court in manner and form as the State of Indiana hath above in her Scirefacias alledged and this the said defendant is ready to verify by the record of the Indictment, writ, Order of bail return of the officer in said court wherefore he prays Judgment if the said State of Indiana ought to have

two writs of Scire facias execution thereof against him the said defendant C.C. Nave Atto for def
to which the said Attorney for the State files his replication as follows, towit,
State of Indiana vs Benjamin R Wamsley. And the said Plaintiff by Herod
who prosecutes herein for said State, comes and say Preclude now, because she say
that there is a record of said recognizance and recovery, as is in the said Scire=
facias in said plea refered to is mentioned, and this she is ready to verrify by the
record
Herod P.S.
And being hereunto called the record of the recognizance and recovery aforesaid, and
the premises being seen it seems to the Court that there is a record of the said recog=
=nizance and recovery aforesaid remaining as is in said Scirefacias averred
It is therefore considered that the said State have execution for the said sum
of two hundred dollars in said recognizance mentioned, besides the costs about
this recovery expended, taxed at dollars and cents

Be it remembered before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of the said Hendricks Circuit Court, began and held at the Court House in the town of Danville in the year of our Lord one Thousand Eight hundred and thirty five (towit,

The State of Indiana
vs
William Burgess } Scirefacias on forfeiture of recognizance No 1

Be it remembered that heretofore (towit, at the October Term of the Hendricks Circuit Court began and held at the Court House in the town of Danville on Monday the Thirteenth day of said month in the year Eighteen hun=dred and thirty four, before the Honorable Bethuel F Morris, the President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Wilson Associate Judges as aforesaid, James Pigeon Sheriff of Hendricks county, returned the following bond of recognizance (towit, State of Indiana Hendricks county Be it remembered that on the 9th day of May 1834 personally appeared before me James Pigeon Sheriff of said county James McAvoy William Burgess and Baily Routt both of said county, who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of One hundred dollars each to be levied of their respective goods and chattels lands and tenements if default be made in the condition following (towit, that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks Circuit on the first day of their next term to be holden at the Court house in the said county of Hendricks, and there answer the state of Indiana to a certain Bill of Indict=ment exhibited against him for Obstructing legal process and to such matters and things as shall or may be then and there charged a charged him, and not depart thence without leave of said Court, then this to be void and of none effect else remain in full force and virtue in law Signed Sealed and delivered in presence of me, and by acknowledged

James McAvoy Seal
William Burgess Seal
Bailey Routt Seal

James Pigeon Sheriff HC

And thereupon came Herod who prosecutes the pleas of the State, and the said

James McAvoy being three called comes not but makes default, and William Burgess and Baley Routt his Securities being called and required to bring into Court the body of the said James McAvoy in discharge of their undertaking, herein wholly fail. It is therefor considered by the Court that the said recognizance is forfeited and hath become absolute, and that the State of Indiana recover of the said James McAvoy, William Burgess and Baley Routt Severally the sum of One hundred dollars each. And it is ordered that Several writs of Scirefacias ijsue against the said defendants, requiring each of them to appear before the Judges of this Court on the first day of their next term and Show cause if any they have why the State shall not have her executions against them for the amount of the recognizance aforesaid. And afterwords, towit, on the Eighteenth day of March in the year Eighteen hundred and thirty five, a writ of Scirefacias ijsued from the Clerks office of the Hendricks circuit Court, against the said William Burgess which said Scirefacias is in the words and figures following, towit, State of Indiana Hendricks County. The State of Indiana to the Sheriff of Hendricks County, Greeting. Whereas the Grand Jurors empannelled, charged and sworn to at the April Term of the Hendricks Circuit Court AD 1834 to enquire in and for the body of the County of Hendricks, did on the 18th day of said Month, and at the said term of said Court return into the said Court and Indictment against one James McAvoy charging him with obstructing Legal process, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana And afterwords, towit, on the second day of May in the year aforesaid a writ of ijsued from the Clerks office of the County aforesaid, directed to the Sheriff of Hendricks County, Commanding him to take the body of the said James McAvoy (if to be found in his county and him safely keep so that he should have his body before the Judges of the Hendricks circuit on the first day of their next term, to be holden at the Court House in Danville on the second monday in October next thereafter to answer unto the State of Indiana upon a bill of Indictment for obstructing legal process, upon the back of which said writ was the following endorsement, towit, The Sheriff is required to take bail in the within case with one Security in the Sum of One hundred dollars each S J Hadley clerk

And afterwords, towit, on the 13th day of October 1834 it being the first day of the October term of the Hendricks Circuit Court AD 1834 the aforementioned writ was returned into said Court with the following endorsement thereon, towit, Came to hand May the 5th 1834 Served on the within McAvoy as within I am commanded. James Sigirson Shff HC

And whereas accompanying the foregoing writ, returned into and filed in said court was the following recognizance taken by virtue of the said writ by the Sheriff of said County which said recognizance read as follows "State of Indiana Hendricks. Be it remembered that on the 9th day of May 1834 personally appeared before me James Sigirson Sheriff of said County James McAvoy William Burgess and Bailey Routt both of said County, who acknowledge themselves to owe and be indebted to the State of Indiana in the Sum of One hundred dollars each, to be levied of their respective goods and chattels Lands and tenements if default be made in the condition following that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next term to be holden at the Court House in the said County of Hendricks and there answer the State of Indiana to a certain bill of Indictment exhibited against him for obstructing legal procss, and to such matters and things as shall or may be then and there charged & charged him and not depart thence without Leave of said Court, then this to be void and of none effect else remain in full force in virtue in law. Signed

signed sealed and delivered in presence of me and by me acknowledged
James Gigerson Shff HC
James McAvoy [Seal]
William Burgess [Seal]
Bailey Routt [Seal]

And Whereas afterwards (towit) on the 18th day of October 1834 it being at a term of the Circuit Court, held at the Court house in and for the said county of Hendricks Now Comes Herod who prosecutes the pleas of the State, and the said James McAvoy being thrice called comes not but makes default and William Burgess and Bailey Routt his securities being called and required to bring into Court the body of the said McAvoy in discharge of their undertaking herein wholly fail It is therefore considered by the Court that the said recognizance is forfeited and hath become absolute and that the State of Indiana recover of the said James McAvoy, William Burgess and Bailey Routt severally the sums of One hundred dollars each, And it is ordered that several writs of Scirefacias of Scire-Facias issue against them for the amount of the recognizance aforesaid

You are therefore hereby commanded to Summon William Burgess to appear before the Judges of the Hendricks circuit Court on the first day of their next term to be holden at the Court house in Danville on the second Monday in April next to shew cause if any he has why the State shall not have her execution against him for the amount of the recognizance aforesaid. and have you then there this writ. Witness Simon T Hadley clerk of said Court and its seal this 18th day of March AD 1835
S T Hadley clerk

And afterwards (towit) on the fifteenth day of April in the year Eighteen Hundred and thirty five, at the same being the third Judicial day of the term of the Court first aforesaid before the Honorable the Judges first aforesaid, James Gigerson Shriff of Hendricks County returned into said Court the forgoing writ of Scirefacias with the following endorsement thereon (towit) Came to hand April the first 1835 Served on the within named William Burgess as within commanded
April 1st 1835
James Dugan Dpt Shff
for James Gigerson Shff

And thereupon Comes as well Herod the attorney prosecuting the pleas of the State in this behalf as the defendant in his own proper person and the defendant files his plea of Nut tiel record, as follows (towit) William Burgess ats the State of Indiana. April Term AD 1835. And the said defendant by Nave his Attorney comes and defends the wrong and injury when &c And say there is not any record of the said supposed recognizance and recovery in said Scire Facias mentioned remaining in the said Hendricks circuit court in manner and form as the State of Indiana hath above in her Scirefacias alleged, and this the said defendant is ready to verrify by the record aforesaid remaining in said Hendricks circuit court; Wherefore he prays Judgment if the said State of Indiana ought to have her writs of Fire Facias execution thereof against his goods and chattels, lands and tenements &c
C C Nave Atts for deft
to which the said attorney files his replication, as follows (towit)

State of Indiana Vs William Burgess April Term 1835 And the said State of Indiana by Herod who prosecutes herein for said State comes and says precludi non because the said plaintiff says that there is a record of such a recognizance and recovery as in the said Scirefacias refered to in said plea is mentioned, and this the said plaintiff is ready to verrify by the record
Herod P Q

and bring here into court the record of the recognizance and recovery aforesaid And the premises being seen, It seems to the court that there

is a record of the said recognizance and recovery aforesaid remaining as is in said Scirefacias set forth; It is therefore Considered that the said State do have do have execution for the said Sum of One hundred dollars in the said recognizance named, and also for six dollars and seventy four 3/4 Cents as and for the costs by said State in this recovery laid out and expended

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Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at the April Term of said Hendricks Circuit Court, began and held at the Court House in the town of Danville in the year of our Lord One Thousand Eight Hundred and thirty five

The State of Indiana vs William Burgess } Scirefacias No 3

Be it remembered that heretofore (towit, at a term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on Monday the Thirteenth day of October in the year of our Lord One Thousand Eight hundred and thirty four, before the Honorable Bethuel F Morris, then President Judge of of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Willson Associate Judges as aforesaid, James Sigerson Sheriff of Hendricks County did return into said Court the following bond of recognizance (towit) State of Indiana Hendricks County Be it remembered that heretofore towit on the 9th day of May 1834 personally appeared before me James Sigerson Sheriff of Hendricks County William Burgess and James McAvoy both of said County who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of Fifty dollars each to be levied of their respective goods and Chattels, Lands and tenements if default be made in the condition following, towit, that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next Term to be holden at the Court house in the said County of Hendricks and answer the said State of Indiana to a certain bill of Indictment exhibited against him for retailing and to such matters and things as shall or may be then charged against him, and not depart thence without Leave of said Court, then this to be null and void, else remain in full force and virtue in law Signed Sealed and delivered in presence of me and by me acknowledged James McAvoy Seal, William Burgess Seal

James Sigerson Sh. H. C.

And thereupon Comes Herod for the State and the said defendant being thrice called Comes not but makes default, and William Burgess his Security being also thrice Called and required to bring into Court the body of the said James McAvoy in discharg condition of of his said recognizance Comes not but being wholly fails; It is therefore Considered by the Court here that the said recognizance is forfeited and hath become absolute and that the State of Indiana recover of the said James McAvoy and William Burgess Severally the sums of fifty dollars each And it is ordered that several writs of Scirefacias issue against the said defendants, requiring each of them to appear

before the Judges of this Court on the first day of their next term and shew cause if any they have why the State shall not have her several executions against them for the amount of the forfeiture aforesaid And whereas afterwards, towit, on the twenty fourth day of March in the year Eighteen hundred and thirty five a writ of Scirefacias issued from the clerks office of the Hendricks circuit court directed to the Sheriff of Hendricks County Commanding him to Summon the said William Burgess to personally be and appear before the Judges of said Hendricks circuit Court on the first day of their next term to shew cause if any he had why the State should not have her execution against his goods and chattels, lands and tenements; which said writ of Scirefacias is in the words and figures following, towit, State of Indiana Hendricks County The State of Indiana to the Sheriff of Hendricks County Greeting; Whereas the Grand Jurors empannelled Charged and Sworn at the April Term of the Hendricks Circuit Court A D 1834 to enquire in and for the body of the said County; did on the 18th day of said month and at the said Term of the said Court return into the Court an Indictment against James McAvoy Charging him with retailing Spiritous Liquors by a less quantity than a quart without having a licence so to do, contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana And whereas afterwords, towit, on the first day of May 1834 a writ issued from the clerks office in said County directed to the Sheriff of Hendricks County Commanding him to take the body of the said James McAvoy if to be found in his County and Safely Keep so that he should have his body before the Judges of the Hendricks Circuit Court on the first day of their next term thereafter, towit, on the Second Monday in October 1834 to answer unto the State of Indiana upon a bill of Indictment for retailing Spiritous liquors without licence upon the back of which said writ was the following endorsement towit, The Sheriff is required to take bail in the within case with one Security in the sum of fifty dollars each

P J Hadley Clerk

And afterwords, towit, on the 13th day of October 1834 it being the first day of the October term of said Court, the aforementioned writ was returned into said court with the following endorsement thereon, towit, Came to hand May the fifth 1834 Served on the within named McAvoy as within I am commanded May the 8th 1834

James Sigerson Shff of H C

accompanying which said writ was the following bond of recognizance returned and filed in said Court towit, State of Indiana Hendricks County Be it remembered that on the 9th day of May 1834 personally appeared before me James Sigerson Sheriff of Hendricks County, William Burgess and James McAvoy both of said County who acknowledge themselves to owe and be indebted to the State of Indiana in the sum of fifty dollars each, to be levied of their respective goods and chattels Lands and tenements if default be made in the condition following, towit, that is if the aforesaid James McAvoy shall personally be and appear before the Honorable the Judges of the Hendricks Circuit Court on the first day of their next term to be holden at the Court House in the said County of Hendricks and answer the said State of Indiana to a certain bill of Indictment exhibited against him for retailing and to such matters and things as shall or may be then and there charged against him and not depart thence without leave of said Court, then this to be null and void else remain in full and virtue in law

Signed sealed and delivered in the presence of me } James McAvoy Seal
and by me acknowledged James Sigerson Shff H C } William Burgess Seal

And whereas afterwords, towit, on the 13th day of October 1834 it being the first

day of the October term Term of the Hendricks Circuit Court 1834 At this time comes Herod for the State, and the said defendant being thrice called comes not but makes default, and William Burgess his security being also thrice called and required to bring into Court here the body of the said James McAvoy in discharge of the condition of his recognizance, comes not but therein wholly fails, It is therefore considered by the Court here that the said recognizance is forfeited and hath become absolute, and that the State of Indiana recover of the said James McAvoy and William Burgess severally the sum of Fifty dollars each And it is ordered that Several writs of Scirifacias ijsue against the said defendants requiring each of them to appear before the Judges of this Court on the first day of their next Term and shew cause if any they have why the State shall not have her several executions against them for the amount of the forfeiture aforsaid

You are therefore hereby commanded to summon the said William Burgess to appear before the Judges of the Hendricks Circuit Court on the first day of their next Term to be holden at the Court house in the town of Danville on the second Monday in April next to shew cause if any he has why the State shall not have her execution against him for the amount of the forfeiture aforesaid And have you then there this writ Witness Simon T Hadley Clerk of said Court and its Seal this 25th day of March AD 1835 S.T. Hadley clerk

And afterwards, towit, on the fifteenth day of April in the Eighteen hundred and thirty five, at the Court house in Danville, before the Judges first aforesaid, James Gigerson, Shff aforesaid returned the foregoing writ of Scirifacias into said Court with the following endorsement written thereon, towit, Came to hand April the first 1835 Served on the within named William Burgess as within commanded April the 1st 1835 James Dugan Dept Shff for James Gigerson Shff

And thereupon comes as well, Herod the Attorney prosicuting the pleas of the State in this behalf as the defendant in his own proper person, who files his plea of nut tiel record as follows, towit, William Burgess ats The State of Indiana April Term AD 1835 And the said defendant by Nave his attorney comes and defends the wrong and injury when &c And says there is not any record of the said supposed recognizance and recovery in the Scirifacias Facias mentioned remaining in the Hendricks Circuit Court in manner and form as the State of Indiana hath above thereof alledged in her said Scire Facias, and this the said defendant is ready to verrify by the record now remaining in the Hendricks circuit Court; wherefore he prays Judgment, if the said State of Indiana ought to have her writ of Scire Facias execution thereof against his goods and chattels, Lands and Tenements &c A C Nave Atto for deft

to which the said attorney files his replication as follows towit The State of Indiana vs William Burgess. And the said plaintiff by Herod who prosicutes herein for the said State comes and says precludo non, because he says there is a record of such a recognizance and recovery as in the said Scirifacias refered to in said plea, is mentioned, and this she is ready to verrify by the record Herod P.Q. and brings here into Court the record of the recognizance and recovery aforesaid and the premises being seen, it seems to the Court that there is a record of the said recognizance and recovery as is in said Scirifacias set forth; It is therefore considered that the said State have execution for the said sum of Fifty dollars in said Scirifacias mentioned; And also dollars and cents as and for the costs and charges in this recovery laid out and expended

Pleas Before the honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Stephen Wilson Esquires Associate Judges of the Hendricks circuit court, in and for the county of Hendricks, at the April Term of said Hendricks circuit court began and held at the court house in Danville in the year of our Lord One Thousand Eight hundred and thirty five (Towit)

Morman Johnson
for the use of John Chamness
vs
Joseph Johnson

Appeal

Be it remembered that heretofore (towit) on the twenty seventh day of January in the year Eighteen hundred and thirty five Zadock Smith a Justice of the peace in and for the county of Hendricks county filed in the Clerks office of the county aforesaid the following note of hand (the cause of action) Transcript and plea in the above entetled case, which are in the words and figures following (towit) First the Note— December the 25th 1829 three years after date I promise to pay to Morman Johnson the full sum of Thirty two dollars and fifty cents for value received of him as witness my hand and seal

Joseph Johnson Seal

2d The Transcript — Morman Johnson vs Joseph Johnson for the use of John Chamness - an action of Debt founded on Note of hand, Amount $32,50 ct damage taxed at $3,90 cts Be it remembered that on the 17th day of December AD 1834 the plaintiff filed his account in my office as a cause of action, whereupon Summons issued directed to Archibald Burnett Constable of Guilford Township on 18th day of December AD 1834 and made returnable on the 22d day of December 1834 at 10 oclock on said day and the said Archibald Burnett made his return on the said 22d day of December 1834 as directed Served by reading. On the 18 of said month Subpoena served by copy and returned on the said 22d of December witnesses in the Plaintiffs behalf Names of Witnesses Joel White William Chamness and Allen Bray, at which time (towit) the 22d day of December 1834 Comes the parties in their own proper persons, and by consent of the parties continued the Case untill the 23d of December 1834 at 12 oclock on said day, then Comes the parties on the said 23d of December 1834, and the Case being fully heared and inspected, and all things touching the same; It is therefore considered that the plaintiff recover of the defendant the sum of $6,96 cents together with costs of suit. Justices cost $100, Constables cost $177 cts Witnesses Costs Claimed $125 Costs received of the defendant $277 cents Zadock Smith J.P.

Be it remembered that on the 26th day of December A D 1834 the plaintiff and after being by me duly Sworn deposeth and saith that he can procure further testimony that he the said plaintiff believes will be of importence to him in said case wherein Morman Johnson vs Joseph Johnson for the use of John Chamness whereupon a new trial was granted, and the defendant being legally notified then the parties personally appears before me on the 29th day of December A D 1834 the plaintiff then being ruled Security for cost I Joel White do hereby acknowledge myself Security for the plaintiff Morman Johnson for the use of John Chamness of all costs that may accrue in this suit now pending wherein Morman Johnson vs Joseph Johnson for the use of John Chamess and Joseph Johnson is defendant, Given under my hand and seal, this the 29th day of December 1834

Joel White Seal

whereupon subpoena issued in behalf of the plaintiff and directed to Archibald Burnett constable of Guilford Township made returnable on the 2d day of January 1835 at twelve oclock on said day agreable to the time set for the new trial, on the said 2d day of January 1835 Witnesses names (towit, James Moon and Moses Beckett, Comes the plaintiff on the first day of January 1835 and requests a Jury to be summoned whereupon Venire issued and directed to Archebald Burnett constable of Guilford Township, which he returned as directed with the Jurors names as follows Isaac Sanders, Jabez Burnett, Cornelius Loy Burr P Dennis George Carson, Stephen Loyd, Payton Wilks Isaac Trotter Eli Fox Isaac Osburn Abner Wiley, Garnett Kaydon Comes the parties on said day, the 2d of January AD 1835 and the defendant files his plea of defence as follows (towit,

Mormon Johnson for the use of John Chamness vs Joseph Johnson Before Z Smith a Justice of the Peace of Guilford Township Hendricks county Indiana on the 2d day of January AD 1835 And now comes Joseph Johnson in his own proper person, and defends the wrong and injury when where &c And for plea saith that he has fully paid and satisfied the note upon which suit is brought, to Mormon Johnson before this time (towit, on the 16th day of April 1832 as will more fully appear by a reperance to said receipt at (towit, in the County of Hendricks and State aforesaid, he therefore prays Judgment for costs &c

Joseph Johnson

For further plea in this behalf the said Joseph Johnson dept according to the Statute in such case made and provided prays the court to allow and set off unto him the sum of $29 44 as per account from A Little which will more fully appear, which is now here to the court produced And he prays Judgment for the same &c

Joseph Johnson

The Jury is discharged by the plaintiff. And the cause being fully heard and examined, and all things touching the same; It is now considered that the plaintiff recover of the defendant the sum of $32,50, together interest taxed at $3.70 cts with costs of suit Justices costs $2,41 cts Constables costs $2,77 cts Witnesses fees $2,00 and Jury fees $3,00 I the undersigned a Justice of the peace in Guilford Township Hendricks county and State of Indiana do certify that this is a full and correct statement of the proceedings had before me on my docket of the within described case Given under my hand and seal this the 21th January 1835 Zadock Smith J P (Seal)

And afterwards towit on the fifteenth day of April in the year Eighteen hundred and thirty five, at the Court house in Danville, the same being the third Judicial day of the term of the court aforesaid, before the honorable the Judges aforesaid, Now Comes the parties and submit this cause to the summary consideration of the court; And the allegations and proofs of the parties being seen and understood; It is considered by the court that the plaintiff for the use of the said John Chamness do recover of the defendant the sum of thirty six dollars ninety four cents for his debt and damages for the detention thereof; And also Fifteen dollars and fifty cents as and for his Costs herein expended

Pleas Before the Honorable William W Wick President Judg of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Aposiate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of the Hendricks Circuit Court began and held at the Court House in Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five (Towit,

Milly Reynolds
Jacob vs Reynolds — Petition for Divorce

Be it remembered that heretofore towit on Seventeenth day of October in the year of Our Lord One Thousand Eight Hundred and thirty four, at the Court House in the town of Danville, before the Honorable Bethuel F Morris President Judg of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Aposiate Judges as aforesaid, the same being the fifth Judicial day of the October term of the Hendricks Circuit Court in said year. At this time comes the petitioner by Nave her Attorney and files her petition in this behalf as follows towit, State of Indiana Hendricks County ss. The Hendricks Circuit Court, October Term thereof A D 1834. To the Honorable the Judges of the Hendricks Circuit Court in Chancery Sitting Humbly complaining Sheweth unto your honors, your Oratrix Milly Smith Reynolds formly Milly Smith, who has been a resident of the State of Indiana for Eight years, and a resident of the State of County of Hendricks for three years last past, and is now a resident of said County; That in the month of March in the year of our Lord One Thousand Eight Hundred and two, twenty nine, She, your Oratrix intermarried with one Jacob Reynolds in Marion County State of Indiana, and that your oratrix lived with the said Jacob Reynolds from March until the Month of July in the year of our Lord One Thousand Eight hundred and thirty nine, and until your Oratrix learnt beyond a reasonable doubt that the said Jacob Reynolds her then husband had been previously married to one Susannah Davis in the state of Tennessee; and that the said Jacob Reynolds had left her in Tennessee and come to Indiana and paped himself for an unmarried or Single man, and by which false representation to your Oratrix, your Oratrix intermarried with the said Jacob Reynolds as aforesaid. Your Oratrix Charges that the said Jacob Reynolds left her in the Month of July A D 1829 because he had learnt that the grand Jury of Marion County Indiana were about to indict him for the Crime of Bigamy; And that she has not heard from him but Once Sixxse since his departure, and then she received this information of him that he was again married unlawfully And that he is not a resident of the State of Indiana at this time. Your Oratrix Charges that She is informed and verily believes that the said Jacob Reynolds had been and was at the time your oratrix and the said Jacob Reynolds were married, towit, on the 27th day of March 1829 the Lawful husband of Susannah Davis who was then living in the State of Tennesee, and at the time of the solemnizing of the marriage between your Oratrix and the said Jacob aforesaid the Lawful wife of the said Jacob Reynolds. your oratrix therefore prays your honors to grant a divorce and decree a desolution of the bands of Matrimony existing between your Oratrix and the said Jacob Reynolds, and such other and further relief as may be Just and equitable; And that the States writ of subpoena be granted, and that the said Jacob Reynolds be made defendant to this bill and compelled to answer the same on oath &c. Milly Reynolds by Nave her Sol.

State of Indiana Hendricks County ss. This day personally appeared before me Simon J.

Hadley Clerk of the Hendricks Circuit Court in open Court Milly Reynolds, who after being by me duly sworn saith that to the best of her information and belief that the said Jacob Reynolds is not a resident of the State of Indiana at this time Sworn to and subscribed in open Court this 17th day of October A D 1834 J J Hadley clerk

And it appearing to the satisfaction of the Court upon affidavit filed, that the said Jacob Reynolds is not a resident of this State, On motion, it is ordered that notice of the filing and pendency of this petition be published in the Indiana Journal a publick Newspaper published at Indianapolis three weeks successively at least sixty days before the first day of the next term of this Court notifying the said Jacob Reynolds personally to be and appear before the Judges of this Court on the first day of their next term and answer the allegations of the said petition, the same will heard and determined in his absence, and this cause is continued. And afterwards, towit, on the fifteenth day of April in the year Eighteen hundred and thirty five, at the Court house in the town of Danville, before the Honorable the Judges first aforesaid, the same being the third Judicial day of the term of the Court first aforesaid. And now comes the petitioner by her attorney & Herod for the State comes also, and the petitioner makes and files proof to the satisfaction of the Court, that the pendency of this petition, has been duly published pursuant to the order of this Court at the last term; And thereupon the said Jacob Reynolds being thrice called comes not, but remains therein wholly undefended And the allegations and proofs being heard, It is ordered, adjudged and decreed, that the bands of Matrimony heretofore existing between the said Milly Reynolds and Jacob Reynolds be dissolved and that the said Milly Reynolds be divorced from her said husband and restored to all the privileges of a feme sole, And it is further ordered the plaintiff pay the costs therein accrued within sixty days, and that on failure she be attached

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Pleas before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, And Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court, in and for the County of Hendricks, at a term of the said Hendricks Circuit Court began and held at the Court house in the town of Danville on Monday the thirteenth day of April in year of our Lord One Thousand Eight hundred and thirty five (towit)

Elliott & Willcox
vs
James S Dicken

Covenant

Be it remembered that heretofore, towit, on the Seventh day of November in the year of our Lord One Thousand Eight hundred and thirty four, the above entitled plaintiffs by Nave their attorney, filed in the Clerks office of the Hendricks Circuit Court the following declaration in the above entitled cause (towit) State of Indiana Hendricks County ss The Hendricks Circuit Court, April Term thereof A D 1835. Henry Elliott and Harden H Willcox partners trading together under the name, firm, title and description of Elliott and Willcox vs James S Dicken Covenant H Henry Elliott and Harden H Willcox Partners trading together by the name, firm, title and description of Elliott & Willcox, Plaintiffs in this suit Complain of James S Dicken defendant in this suit of a plea of Covenant broken &c For that whereas heretofore, towit, on the Second day of September in the year 1834

at Stitesville in the County of Hendricks and State of Indiana, The said defendant executed his certain writing obligatory containing covenants to be performed by the said defendant to the said Plaintiffs as aforesaid; which writing obligatory sealed with the seal and signed with the name of the said defendant, the said plaintiffs now bring here into Court, the date whereof is the same day and year aforesaid, whereby the said defendant, at towit in Stitesville, County of Hendricks and State aforesaid, Covenanted and promised on or before the fifteenth day of October then next thereafter ensuing to pay Henry Elliott and Harden H Willcox partners trading together by the name, firm, stile and discription of Elliott and Willcox as aforesaid Plffs One hundred and seventy six dollars, Eighty five cents to be discharged in good Course high Cut shoes at one dollar thirty seven and a half cents per pair, to be one fourth on Last No 4 One fourth on last No 3 One fourth on last No 2 and one fourth on last No 1 as is marked in my shop (meaning defendants shop) In consideration of a Lot of liquors I have this day bought of them (meaning, liquors bought by defendant of said Plaintiffs as aforesaid on the second day of September 1834 aforesaid) for value received of them &c meaning thereby, for value received by the said defendant of the said plaintiffs as aforesaid) as by a reference to the said writing obligatory will more fully appear. Yet the said defendant hath broken his said Covenant, in this, that he did not nor would not although often requested so to do, on or before the fifteenth day of October 1834 aforesaid pay to the said Henry Elliott and Harden H Wilcox partners trading together by the name, firm, stile and discription of Elliott and Willcox Plaintiffs as aforesaid the said sum of One hundred Seventy Six dollars and Eighty five cents in good Course high cut shoes at one dollar and thirty seven and a half cents per pair, one fourth on last No 4, One fourth on last No 3, One fourth on last No 2 and one fourth on Last No 1 as he was bound to do according to the tenor and effect of the said writing obligatory but wholy refused so to do, towit, at Stitesville, County of Hendricks and State aforesaid. And so the said Plaintiffs in fact say that the said defendant although often requested so to do, hath not kept his said Covenant in said writing obligatory mentioned so by him made as aforesaid, but hath broken the same, and to keep the same with the said Plaintiffs hath hitherto wholly neglected and refused, and still doth neglect and refuse to the damage of the said Plaintiffs partners as aforesaid five hundred dollars, Therefore they bring their suit &c

C C Nave Atto for Plaintiffs

And afterwards, towit, on the fifteenth day of April in the year Eighteen hundred and thirty five at the Court house in Danville, before the honorable the Judges aforesaid, the same being the third Judicial day of the term of the Court aforesaid. Came now the Plaintiffs by their Attorney and the defendant personally comes also, and the following agreement in writing being filed towit, It is agreed by the said James Dicken defendant in said suit that a Judgment be rendered by the Judges of the Hendricks Circuit at their April term A D 1835 for the sum of $129,80 cts and costs of suit with lawful interest thereon from the time the same became due towit, 15th October 1834 against him in favour of Elliott & Wilcox, And that this their agreement be filed with the Clerk of said Court as the acts of the parties and no more costs to accrue by summing witnesses &c this 16th day of March 1835

James S Dicken

Harden H Willcox and Henry Elliott By C C Nave their Atto

It is therefore considered by the Court now here that the said Harden H Wilcox and Henry Elliott recover of the said James S Dicken the said sum of One hundred and twenty nine dollars & 80 cents the amount mentioned in said agreement, together with three dollars and ninety cents the interest accrued thereon making together the sum of One hundred and thirty three dollars and seventy cents, and also the sum of five dollars and fifteen cents as and for their costs and charges by them laid out and expended about this their said recovery

Teste Before the honorable William W Wick President Judge of the Fifth Judicial circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks circuit Court, in and for the county of Hendricks at a term of the Hendricks circuit Court began and held at the Court house in Danville on Monday the thirteenth day of April in the year of our Lord One Thousand Eight hundred and thirty five (towit)

William Parkes
vs
Jesse Gibson
Slander

Be it remembered that heretofore (towit, on the twenty seventh day of March in the year of our Lord one Thousand Eight hundred and thirty five, the above entitled Plaintiff by Quarles & Nave his attorneys filed in the Clerks office of the Hendricks circuit Court, the following declaration in the above entitled cause (towit) State of Indiana, Hendricks County ss. Hendricks circuit Court April Term 1835. William Parks vs Jese Gibson. Trespas on the case for Slanderous words spoken, damages $1000. William Parks Plaintiff in this suit by his attorneys complains of Jese Gibson defendant in this suit of a plea of Trespas on the case for Slanderous words spoken to his damage &c. For that whereas the said William Parks Plff Now is a good true honest and faithful citizen of the state of Indiana, and as such has always hitherto conducted and behaved himself, and until the Committing of the said several greivances by the said defendant as herein after mentioned was always respected, esteemed and accepted by and amongst all his neighbours and other good and worthy citizens of the State of Indiana to whom he was in any wise known to be a person of good name fame and credit (towit, at the County of Hendricks and State of Indiana. And whereas the said plaintiff hath not ever been guilty or until the time of Committing the said several greivances by the said defendant as herein after mentioned been suspected to have been guilty of any kind of perjury, false swearing, forswearing, or of any other deceit, fraud, falsity or even the suspicion of them, or any of them, by means of which said several premises he the said Plaintiff befor the Committing of the said several greivances by the said defendant, as herein after mentioned, had deservedly obtained the good opinion and credit of his neighbours and other good and worthy citizens of the county of Hendricks and state aforesaid to whome he was in any wise known, towit, at the County of Hendricks and State aforesaid, and within the jurisdiction of the Hendricks circuit Court, And whereas an assault and Battery was committed by one Lucinda Fowler upon the body of One Margaret Fowler, on the tenth day of December 1832 in the presence of the Plaintiff, Contrary to the statute in such case made and provided, at towit, in the County of Hendricks and State aforesaid. And whereas at a term of the Hendricks Circuit Court, began and held at the Court house in the town of Danville in the County of Hendricks and State aforesaid, on the second Monday in April in the year of our Lord One Thousand Eight hundred and thirty three by the Judges and officers of said Court. And whereas according to the Statute in such case made and provided was duly elected, called, Charged and qualified by the Judges of said Court, to inquire in and for the body of the County of Hendricks, and upon their oath true presentments make of all such matters and things that were to be given to their charge, or otherwise might come before to their Knowledge &c. And whereas one Wesley McKinley was appointed by the Court aforesaid as foreman of said grand inquest, in and for the body of the County of Hendricks and State aforesaid So elected and qualified as aforesaid; And he being qualified as such forman of said grand inquest as aforesaid. And whereas the said Grand Jury in their proper deliberations according to the Statute in such case made and provided, and after returning to their room

under the Charge and Care of their bailiff, duly qualified to act as such. And whereas according to the Statute in such case made and provided, the grand inquest aforesaid ordered a Subpoena to be issued from the Hendricks Circuit Court, then in Sesion, by the Clerk of said Circuit Court, according to law to Summons the said William Purks now Plaintiff to be and appear before the grand Jury aforesaid hast= =aster and then and to answer such Legal questions as might be then and there propounded to him by the Grand Jury aforesaid. And whereas the said William Purks now Plaintiff having been legally brought before the grand Jury aforesaid, and after having been duly sworn by the foreman of the grand inquest aforesaid (to wit, Wesley McKinley, to tell the truth, the whole truth and nothing but the truth touching the Assault and battery that Lucinda Fowler had before that time committed upon the body of Margaret Fowler, did then and there testify and give in evidence to the grand inquest aforesaid, that in the County of Hendricks on the tenth day of December AD 1832 Lucinda Fowler did then and there unlawfully and with force and arms commit an Assault and battery upon the body of Margaret Fowler, and did then and there Strike Margaret Fowler three times in the face, and that blood followed from her nose, at (to wit) in the County and State aforesaid, and according to the Statute in such Case made and provided the said William Purks now Plff did then and there depose and give in evidence to the said Grand inquest aforesaid the truth and nothing but the truth as he was in duty bound to do, at (to wit) in the County and State aforesaid.

Yet the said Jesse Gibson defendant very well Knowing all and singular the premises and greatly envying the happy State and Condition of the said Plaintiff, and wickedly and maliciously Con= =triving and intending not only to injure, prejudice, degrade and damnify him the said Plaintiff in his good name, fame, credit, reputation and business, and to cause him to fall into disgrace and infamy with and amongst all his neighbours and other good and worthy Citizens of the State of Indiana. and to Subject him the said Plaintiff to the pains and penalties by law of the State of Indiana in such case made and provided against and inflicted upon persons guilty thereof of perjury, and to vex and harass, oppress, injure and wholly ruin him the said Plaintiff, heretofore (to wit) on the day of April in the year of our Lord One Thousand Eight hundred and thirty four, at (to wit) in the County of Kendrick and State aforesaid. In a certain discourse which he the said defendant then and there had of and con= =cerning him the said Plaintiff, and of and concerning the said swearing by him the said Plaintiff before the Grand Jury aforesaid, and of and concerning the Assault and battery committed by the Lucinda Fowler upon the body of Margaret Fowler on the tenth day of December 1832 aforsaid, in the presence and hearing of divers good and worthy citizens of the said State of Indiana, then and there in the presence and hearing of the said last mentioned citizens, falsely, wickedly and maliciously, spoke and published of and concerning the said Plaintiff, and of and concerning the said swearing by the said Plaintiff, of and concerning the said Assault and battery committed by the said Lucinda Fowler unlawfully upon the body of Margaret Fowler on the 10th day of December 1832 as aforesaid, at (to wit) in the County and State aforesaid, these false, scandelous, melicious and defamatory words following, that is to say, That if William Purks (meaning the Plaintiff) swore that Lucinda Fowler had Struck Margaret Fowler, he swore false, That if William Purks (the Plaintiff meaning) had sworn that Lucinda Fowler had Struck Margaret Fowler, he sworn a lie; That if William Purkes (the Plaintiff meaning) had Sworn that Lucinda Fowler had Struck Margaret Fowler three times in the face, and that blood followed from her nose he sworn a lie; That if Purks (the Plaintiff meaning) had swore that Lucinda Fowler had Struck Margaret Fowler three times in the face, and that blood followed from her nose, he sworn false, thereby then and there meaning the said swearing by the said Plaintiff before the grand Jury in and for the said County of Hendricks, at the said April term of the Hendricks Circuit Court 1833, of and concerning the assault and battery unlawfully committed by the said Lucinda Fowler upon the body of Margaret Fowler on the tenth day of December AD 1832 at (to wit) in the county of Hen= =dricks and State aforesaid. And the said Plaintiff avers that he did swear before the Grand inquest in and for the County of Hendricks at the April Term of the Hendricks Circuit Court 1833 after the Lawful administration of an Oath to him the said Plaintiff by Wesley McKinley foreman of

the Grand inquest in and for the body of the County aforesaid, that Lucinda Fowler did then and there unlawfully and with force and arms, commit and assault and battery upon the body of Margaret Fowler, and did then and there strike Margaret Fowler three times in the face, and that the blood followed from her nose as aforesaid, on the tenth day of December in the year of our Lord Eighteen hundred and thirty two as aforesaid, at the County and State aforesaid. 2nd And whereas afterwards, towit, on the same day and year last aforesaid, at the County of Hendricks and State aforesaid, in a certain other discourse that he the said defendant then and there had, with divers good and worthy citizens of the County of Hendricks and State aforesaid, of and concerning the said Plaintiff, and of and concerning the said Judicial swearing before the Grand inquest in and for the County and State aforesaid, by the said Plaintiff And of and concerning the unlawful assault and battery committed by the said Lucinda Fowler upon the body of Margret Fowler on the tenth day of December 1832 at towit, in the County and State aforesaid at the April term of the Hendricks Circuit Court, began and held at the Court House in the town of Danville on the second Monday in April AD 1833 as aforesaid. He the said defendant, then and there falsely wick-
-edly and maliciously said, rehersed, proclaimed openly and Loudly published these other false, feigned scandalous and opprobious english words, following, of and concerning the said Plaintiff in the pres-
-ence and hearing of those good and worthy citizens as aforesaid (towit, at the County of Hendricks and State aforesaid; that if William Perks (the Plff meaning) swore that Lucinda Fowler Struck Margaret Fowler three times, in the face, and that the blood followed after, he swore a lie; That if William Perks (the Plff meaning) swore that Lucinda Fowler struck Margaret Fowler three times in the face, and that the blood followed after, he swore false; (That if Perks (the Plff meaning) had swore that Lucinda Fowler struck Margaret Fowler in the face and blood followed, he swore a lie; That if Perks (the Plff meaning) had sworn that Lucinda Fowler had struck Margaret Fowler in the face and the blood followed after, he sworn false; Thereby then and there meaning the said Judicial swearing by the said Plff before the Grand inquest in and for the said County of Hendricks and State aforesaid, then and there in session at the County aforesaid, at the April Term of the Hendricks Circuit Court 1833 at the town of Danville aforesaid of and concerning the assault and battery unlawfully committed by Lucinda Fowler upon the body of Margaret Fowler, on the tenth day of December 1832 as aforesaid, and which was sworn to by the said Plaintiff before the Grand inquest as aforesaid, at the time and place aforesaid, that Lucinda Fowler did on the tenth day of December 1832, at the County of Hendricks and State aforesaid strike Margaret Fowler in the face, and that the blood followed after, from her nose, after he the said Plff had been Judicially sworn by the foreman of the grand inquest aforesaid he having legal authority to swear the Plaintiff according to the Statute in such case made and pro-
-vided at (towit, in the County and State last aforesaid, and the time and place last aforesaid.

By means of the committing of which said several Greivences by the said defendant as aforesaid he the said Plaintiff hath been and is greatly in his good name, fame and credit, and brought into public scandal, infamy and disgrace with and amongst all his neighbours and other good and worthy citizens of the County of Hendricks and State aforesaid Indiana, in so much that divers of those neighbours and citizens to whome the innocence and integrity of the said Plaintiff in the premises were unknown, have on occasion of the committing of the said greivences by the said defendant as aforesaid, thence hitherto suspected and believed, and still do suspect and belive the said plaintiff to have been guilty of and to have been guilty of forswearing and Perjury, And have by means of the committing of the said greivences by the said defendant as aforesaid from thence hitherto wholly refused and still do refuse to have any transactions, acquaintance or discourse with him the said Plaintiff as they were before used and accustomed to do, and have and otherwise would have had, and the said Plaintiff hath been and is otherwise greatly injured by means of the premises (towit, at the County of Hendricks and State aforesaid, to the damage of him the said plaintiff, of One thousand dollars, and therefore he brings his suit &c

Quarles & Nave Attorneys for Plff

And afterwards (towit, on the fifteenth day of April in the year of our Lord One thousand Eight

hundred and thirty five, at the Court House in Danville, before the honorable the Judges aforesaid, the same being the third Judicial day of the term of the Court first aforesaid. Now come the parties and the defendant files two several pleas to the said action, which said pleas are in the words and figures following (towit, State of Indiana Hendricks County, Hendricks Circuit Court April Term 1835 Jesse Gibson ats William Purks. And the said Jesse Gibson by Butler & Fletcher his attorneys comes and defends the wrong and injury when &c and says he is not guilty of the said supposed grievances above laid to his charge, or any, or either of them in manner and form as the said William Purks hath above thereof complained against him, and of this he puts himself upon the Country &c

Fletcher & Butler for Deft

And the Plaintiff by his attorneys doth the like Dwarles & Nave Attorneys for Plff

And for second and further plea in this behalf the said defendant says that the said plaintiff to have and maintain his aforesaid action thereof against him ought not, because he says that before the speaking and publishing of the words of and concerning the said plaintiff in the said declaration mentioned, towit, on the day of April in the year 1833 at the town of Danville at and in the County of Hendricks aforesaid, at the April Term of the Hendricks Circuit Court, The Grand Jurors of the State of Indiana were then and there according to the form of the Statute in such case made and provided regularly empannelled charged and sworn to enquire within and for the body of the said County of Hendricks, and upon their oath true presentment make of all such matters as were then and there given them in charge & otherwise come to their knowledge, and that one Wesley McKinley was then and there, by the said Hendricks Circuit Court lawfully appointed the foreman of the said Grand Jury. And afterwards, towit, on the day and year aforesaid at the town and County aforesaid, at the said Term of the said Hendricks Circuit Court, and after the said Grand Jurors had retired to consideration of their presentments or indictments it then and there before the Grand Jurors became and was material for the said Grand Jurors to enquire whether one Lucinda Fowler at and in said County of Hendricks on the tenth day of December A D 1832 did then and there unlawfully commit and assault and battery upon the body of one Margaret Fowler, and then and there strike the said Margaret Fowler three times in the face of her the said Margaret, and whether the blood followed from her the said Margarets nose upon such striking. And that the said plaintiff then and there, towit, on the day of April 1833 as aforesaid at Danville at and in the County of Hendricks aforesaid appeared as a witness before the said Grand Jurors, and was then and there by the said Wesley McKinley so being foreman of the Grand Jury aforesaid duly sworn according to Law to testify and give evidence in relation to the said material matters of enquiry as aforesaid, the said Wesley McKinley foreman of the Grand Jury aforesaid then and there having Competent and Lawful power and athority to administer said Oath to the said plaintiff. And the said defendant further says that the said plaintiff being so sworn as aforesaid upon his oath aforesaid then and there, towit, on the day of April 1833 at Danville at and in the County of Hendricks aforesaid before the Grand Jury aforesaid, falsely, wickedly, maliciously and corruptly, and by his own act and consent did say, depose and swear and give evidence amongst other things in reference to the material matters aforesaid, and to and before the Grand Jurors aforesaid, that in the County of Hendricks on the tenth day of December in the year Eighteen hundred and thirty two Lucinda Fowler did unlawfully commit an assault and battery upon the body of Margaret Fowler, and did then and there strike Margaret Fowler three times in the face and that the blood followed from her nose, Whereas in truth and in fact the said defendant saith that the said Lucinda Fowler did not unlawfully commit and assault and battery on the body of Margaret Fowler in the said County of Hendricks on the tenth day of December in the year Eighteen hundred and thirty two, and that the said Lucinda Fowler did not then and there strike the said Margaret Fowler three times in the face, and that the blood did

not follow from her the said Margaret Fowlers nose, And that the said plaintiff did thereby to and before the said Grand Jurors in giving his evidence as aforesaid, upon his said Oath in reference to their said enquiry and the material matters aforesaid, then and there falsly, wickedly, wilfully and corruptly Commit willful and corrupt perjury. Wherefore the said defendant at the said several times when &c in the said declaration mentioned at the County aforesaid, spoke and published of and concerning the said plaintiff the said several words in the said declaration mentioned to have been spoken and published by him the said defendant of and concerning the said plaintiff as it was lawful for him to do for the cause aforesaid And this he is ready to verify Wherefore he pray Judgment &c Fletcher & Butler Dft for

To the second plea where of the plaintiff files his demurrer as follows, towit, William Perks vs Jepe Gibson In the Hendricks Circuit Court April Term A D 1835 And the said Plaintiff as to the said plea of the said defendant by him secondly above pleaded saith that the same and the matters therein Contained in manner and form as the same are above pleaded, and set forth, are not sufficient in law to bar or preclude him the said Plaintiff from having or maintaining his aforesaid action thereof against the said defendant, and that he the said Plaintiff is not bound by the Law of to answer the same, And this he the said Plaintiff is ready to verify Wherefore, by reason of the insuffi= =ciency of the said plea in this behalf the said Plaintiff pray Judgment and his dam= =ages, by reason of the damages by him sustained on occasion of the committing the said grievances to be adjudged to him &c Nave Attys for Plff

and the defendant joins therein as follows, towit. Jepe Gibson vs Wm Perks

And the said defendant saith, that his said plea by him secondly above pleaded and and the matters therein Contained in manner and form as the same are above pleaded and set forth are sufficient in law to bar and preclude the said plaintiff from having or maintaining his aforesaid action thereof against him the said defend= =ant, and this the said defendant is ready to verify and prove the same when and where and in such manner as the Court here shall direct and award; Wherefore in as much as the said plaintiff hath not answered the said plea, nor hitherto in any manner denied the same the said defendant pray Judgment &c Fletcher & Butler for Dft

and upon opinion of the Court intimated that said plea is good and sufficient the said demurrer and Joinder are withdrawn, and the plaintiff files his replication to the said plea as follows, towit, William Perks vs Jepe Gibson. And the said Plff as to the said plea of the said defendant, by him secondly above pleaded the said Plff saith that he by reason of any thing by the said defendant in that plea above alledged ought not to be barred from having and maintaining his aforesaid action action against the said defendant in respect of the grievances in the introductory part of that plea mentioned because he saith, that the said defendant at the time when &c in the said first and second Counts mentioned of his own wrong and that without the cause by the said defendant in his said second plea above mentioned, did Commit the said grievances in the introductory part of that plea mentioned in manner and form as the said Plff hath above thereof Complained against the said defendant, to wit, at &c aforesaid And this the said Plaintiff pray may be enquired of by the Country &c. Nave Attys for Plff

And the said defendant doth the like. Fletcher & Butler for dft

And thereupon Came the Jurors of the Jury to try the issue aforesaid, towit, James Logan, William Kenton, Levi Brown, John Tincher, John Hadley, John Plaster, James J Hadley, William Jeffris Thompson Clements, Isaac Taylor, James Pasley, Isaac Prather, twelve good and Lawful men who being elected tried and sworn the truth to speak and a true verdict to give upon the issues afore= =said, upon their Oath aforesaid, do say and find upon the issues aforesaid in favour of the defendant And day is given, And afterwards, towit, on the next day following, towit, the sixteenth day of

April in the aforesaid par before the Judges aforesaid, the same being the fourth Judicial day of said Term of the Court aforesaid, Now Comes the parties by their Attorneys, And it is considered by the Court now here that the Plaintiff take nothing by his suit, and that the defendant go hence and recover of the plaintiff the sum of twenty seven dollars and thirty one Cents for his costs and charges by him laid out and about this his said defence, & the Plaintiff in mercy &c

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Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson & Gideon Wilson Esquires, Apociate Judges of the Hendricks Circuit Court within and for the County of Hendricks, at a Term of the said Hendricks Circuit Court began and held at the Court house in the town of Danville in the month of April in the year of our Lord One Thousand Eight Hundred and thirty five (towit)

The State of Indiana vs Wilson Dicken } Indictment for Petit Larceny

Be it remembered that heretofore (towit) at the term of the Court aforesaid, before the Honorable the Judges aforesaid, by the oath of Levi Depuy foreman and his fellows Pemberton Dicken, William Hedge, Thomas Lockman, John Edwards, Peter Dearmon, Basil Tout, Daniel Hartman, Caleb Sherley, John Ballard, Mathew Stafford John Hathers, Jacob Miller, Stephen Arnold, William Hancock, Jonathan Hadley & Henry Ramsmel Grand Jurors for the State of Indiana empannelled sworn and Charged to enquire within and for the body of the County of Hendricks upon their oath aforesaid present as follows (towit)

State of Indiana Hendricks County sct. Hendricks Circuit Court, at the April Term thereof in the year Eighteen hundred and thirty five. The Grand Jurors for the state of Indiana, empannelled, sworn and charged to enquire in and for the County of Hendricks aforesaid upon their oath present that Wilson Dicken late of said County Yeoman on the first day of October in the year Eighteen hundred and thirty four, with force and arms at said County One Carriage Whip of the value of twenty five cents of the personal goods of One John Brown then and there being found, did, then and there feloniously steal take and carry away. Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the of the State of Indiana

W Herod Prosecutor

And afterwards, towit on the fourteenth day of April, at the Court house aforesaid, before the Judges aforesaid, the same being the fourth Judicial day of the the foregoing bill of Indictment was returned into Court, endorsed and signed by Levi Depuy foreman of the Grand Jury as aforesaid, as being a true bill, and afterwards towit, on the sixteenth day of April in the year aforesaid, the same being the fourth Judicial day of the term of the Court aforesaid before the Judges aforesaid, Now comes Herod who prosicutes the pleas of the State, and the defendant personally comes also, and being arraigned upon said Indictment, saith that he is not guilty as charged, and for trial puts himself upon the country, and the Attorney for the State doth the like, and by their agreement this cause is submitted the Court without the intervention of a Jury; and the proofs and allegations being heard and considered, It is considered by the Court now here, that the said defendant is not guilty as charged in said Indictment, Ordered, therefore that the said defendant as to the Indictment aforesaid, do stand acquit and go hence without day

Pleas Before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires Associate Judges of the Hendricks Circuit Court in and for the County of Hendricks and at the April Term of said Hendricks Circuit Court began and held at the Court house in the town of Danville on the Thirteenth day of April in the year of our Lord One Thousand Eight Hundred and thirty five Town

The State of Indiana
vs
Jacob Turpin, Rial Smith and Robert Smith

Riot

Be it remembered that heretofore Town, at a term of the Hendricks Circuit Court began and held at the Court aforesaid in the town aforesaid before the Honorable Bathuel F Morris President Judge of the Judicial Circuit of the State of Indiana, and Elijah Anderson Gideon Wilson Associate Judges as aforesaid On the Thirteenth day of October in the year of our Lord One Thousand Eight Hundred and thirty four by the Oath of James T Hadley foreman of the Grand Jury and his fellows William Sterrett, William Trotter, Ezekiah M Clintick, William Hamilton Jonathan Williams, Jesse Canada, John Cash, Ezekiel Kennady, Stephen Cook, Robert Walker, Wesley Morgan, William Gilmer, Frederick Wicker, Andrew Clifton and George Hartman Grand Jurors for the State of Indiana of Indiana, impannelled Sworn and Charged to enquire in and for the body of the County of Hendricks upon their oath aforesaid present as follows Town, State of Indiana Hendricks County

Hendricks County Circuit Court at the October Term thereof in the year Eighteen Hundred and thirty four The Grand Jurors for the State of Indiana impannelled Sworn and Charged to enquire within and for the body of the County of Hendricks aforesaid, upon their oath present that Jacob Turpin late of said County yeoman, Rial Smith late of said County yeoman, and Robert Smith late of said County yeoman On the fourth day of August in the year Eighteen Hundred and thirty four, with force and arms at said County, unlawfully riotously and routously did assemble and gather together to disturb the peace of said State of Indiana, and being so then and there assembled and gathered together, in and upon the body of One John Montague then and there being unlawfully, riotously and routously did make an assault, and him the said John Montague did then and there riotously and routously in a rude insolently and angry manner unlawfully touch strike beat and wound Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana

W. Herod Prosecutor

The foregoing Indictment was on the fifteenth day of October in the year Eighteen Hundred and thirty four returned into Court, endorsed by the said foreman A True Bill

And afterwards Town, on the Sixteenth day of April in the year Eighteen Hundred and thirty five at the Court house aforesaid, the same being the fourth Judicial day of the term of the Court first aforesaid before the Honorable the Judges first aforesaid Now comes as well the attorney prosecuting the pleas of the State in this behalf, as the defendants in their own proper own proper persons who being arraigned upon said Indictment, for plea thereto Say they are not guilty in manner and form as the stand charged therein, and of this they Put themselves upon the country and the said attorney doth the like; and thereupon Comes the Jurors of the Jury to try the issue aforesaid, Town, John Richardson, Jeremiah Stiles, David Mattock

John Plaster William Jeffries, Moses Parks, James Mason, Samuel Morning Thompson Clements, James Pasley, Isaac Taylor and Isaac Prather good and lawful men and ~~~ householders of said County, who being ~~elected~~ tried and sworn the truth to speak and a true ~~verdict~~ to give upon the ~~issue~~ aforesaid, upon their ~~oath~~ aforesaid, do say and find that the said Jacob Turpin is guilty of the ~~a~~assault and battery charged in the said Indictment, and assess his ~~fine~~ at two dollars; and that the said Rial Smith and Robert Smith are ~~not~~ guilty. ~~It~~ is therefore ~~considered~~ that the said Rial Smith and Robert Smith as to the said Indictment do go thereof ~~hence~~ acquit without day. And the said Jacob Turpin ~~comes~~ and moves the ~~court~~ that ~~Judgment~~ upon the ~~verdict~~ upon and finding aforesaid be arrested and ~~stayed~~, which motion is overruled, And the said Jacob saying ~~nothing~~ further, why ~~Judgment~~ against him shall not follow the finding aforesaid; ~~It~~ is therefore ~~considered~~ that the said Jacob Turpin, for the ~~a~~assault and battery aforesaid whereof he is ~~convict~~ as aforesaid, do make his fine to the said State in the said sum of two dollars in manner aforesaid assessed, and that the said State recover of him the sum of Seven dollars and Eighty cents as and for the costs and charges by the said State about the ~~prosecution~~ of the said Turpin Turpin herein laid out and expended; And it is ordered that the defendant Turpin stand committed in the custody of the Sheriff untill the above fine and costs are paid or replevied

Pleas before the Honorable William W Wick President Judge of the Fifth Judicial Circuit of the State of Indiana, and Elijah Anderson and Gideon Wilson Esquires associate Judges of the Hendricks Circuit Court, within and for the County of Hendricks, at a term of said Hendricks Circuit Court began and held at the Court-house in the town of Danville on Monday the Thirteenth day of April in the year of Our Lord One Thousand Eight hundred and thirty five Towit

Levi Jessup
vs
Thomas Nichols } Appeal

Be it remembered that heretofore, towit, on the third day of December in the year of our Lord Eighteen hundred and thirty four Noah Harding a Justice of the peace in and for the County of Hendricks, filed in the clerks office on behalfs of the above entitled defendant the a note of hand (the cause of Action) the defendants plea of defence, and a certified transcript of the proceedings had before him in the above entitled cause which said note, plea and transcript are in the words and figures following towit, Levi Jessup vs Thomas Nichols

The Plaintiffs note demand by filed Oct. 19th 1834 towit, $100.40 Due Levi Jessup One hundred dollars and forty cents for value rec'd payable on the 15th day of February next Witness my hand and seal this 28th day of April 1832 Thos Nichols Seal

On the back of said note are the following credits towit, Rec't of the within Note Seven dollars and thirty nine cents Oct 1833. January 7th 1833 By Order to Merrill 50,00. A summons ispued against the defendant on the same day to Joel Jelf const returnable on the 18th day of this Inst at 12 oclock on said day,

Justices Fees	
Entry	12½
Sumo	12½
Issue Sub	25
Continuance	12½
W —	6¼
Trial Judg	25
This Trans	25
Const Fees	
S — S	25
Ret	5
S Sub	12½
Mil	24
Ret — —	5
Mil Exc	20
Ret — —	10

Afterwards, towit, on the day aforesaid and at the time aforesaid the parties are three called, the defendant comes in his own proper person and files his plea of payment and set off, but the plaintiff comes not this case is therefor continued at the costs of the plaintiff until the 25th of this Inst at 12 Oclock on said day, said writ being first returned served by reading the same day Joel Jelf Const

a Subpoena is ispued to Joel Jelf Const. at the inst. of the defendant on the 18th October 1834 to summon the Plaintiff as a Witness, returnable on the day and at the time aforesaid. October the 25th 1834 said Subpoena is returned Served by reading At this time come the parties appear in their own proper persons. Now comes the defendant and asks leave to withdraw his plea and amend it, which is granted and and the amended plea filed, as follows towit, State of Indiana Hendricks County Thomas Nichols ats Levi Jesup And the said defendant by his Attorney comes and defends the wrong and injury when &c And says actio non &c because he says that heretofore towit, on the day of 1831 at towit, in the County and State aforesaid he paid the plaintiff Forty dollars by then and there delivering to the said Plff a horse gelding for the sum aforesaid & the Plff did then and there promise & undertake to give and enter a credit upon a note executed by the deft to the said plff for one hundred dollars, due Nov. 1st 1831

But said Plff not regarding his said promise & undertaking aforesaid, hath failed and refused said credit, and yet fails and refuses so to do, Wherefor he the said deft prays the Court that the same may be allowed & set off unto him according to the statute in such case made and provided, and of this he puts himself upon the Court for trial &c and all of which this deft is ready to verify, Wherefore he prays Judgment &c Thos Nichols

the parties now go into trial, the Plaintiff is sworn and testified in said case, and after all things are heard; It is considered that the Plaintiff recover of the defendant the sum of $43.. 1 cent debt together with Six dollars 40 cents damage for the detention thereof making all together $49. 41 cents also the costs of this suit, and the defendant in mercy &c Given under my hand and seal this the 25th day of October 1834 Noah Harding J.P. (seal)

Execution issued to Said Self Cons. on the 29th day of October 1834. the defendant files his appeal Bond Nov. the 22d 1834 Said Execution is called in the same day. I do certify that the foregoing is a true copy from my docket of the proceedings had in said case before me Given under my hand and seal, this 3d day of Decmber 1834 Noah Harding J.P. (seal)

And afterwards (court, on the Sixteenth day of April in the year Eighteen hundred and thirty five at the Court house aforesaid, the same being the fourth Judicial day of the term of the Court aforesaid, before the Judges aforesaid Now Come the parties and Submit this Cause to the Summary decision of the Court, and the allegations and proofs of the parties being heard; It is considered by the Court that the plaintiff do recover of the defendant the sum of Forty Eight dollars and ninety cents for his debt and damages, and also dollars and cents as and for his costs and charges herein expended